

Making  
Bad  
Children  
Good

SAINT NIHAL SINGH

# MAKING BAD CHILDREN GOOD

A PLEA FOR AN INDIAN JUVENILE COURT

BY

SAINT NIHAL SINGH

*Author of "Messages of Uplift for India"*

*"Essays on India," &c., &c.*

WITH AN INTRODUCTION BY

THE HONORABLE BEN B. LINDSEY

*Judge of the Juvenile Court, Denver, Colorado, U.S.A.*

MADRAS

GANESH AND CO



MADRAS: G. C. LOGANADHAM PROS  
THE GUARDIAN PRESS, MOUNT ROAD

1910

*All Rights Reserved*

DEDICATED TO  
THE UNFORTUNATE CHILDREN OF INDIA  
WHO ARE CRIMINALLY NEGLECTED  
BY THE NATION

"No Nation is safe unless in the average family there are healthy and happy children. If these children are not brought up well, they are not merely a curse to themselves and their parents, but they mean the ruin of the State in the future."

THEODORE ROOSEVELT

*Ex-president of the United States*

## PUBLISHERS' NOTE

The author of this book is too well known in India, America and Great Britain to need introduction at the hands of the publishers. Among those who seek to interpret the East to the West and the West to the East, Saint Nihal Singh occupies a prominent place. A true son of India, his flight from his native land early in life was undertaken in no mere spirit of adventure—though of that he has plenty and to spare—but in the truly Japanese spirit of a practical student of the social, economic and political institutions of the West, so that he might be in a position to indicate lines of development along which his own country might move. To the fulfilment of this self-imposed task Saint Nihal Singh has devoted all his powers of body and mind; and in the book now put into the hands of the reader, there is a description by him of a new and humane system prevailing in the West of treating the erring members of the community, which the Indian Government and the Indian people will do well to consider with a view, if not to direct and detailed imitation, at least to help in determining the direction of future administration.

The question of Jail Reform is not a new one. It is as old as Howard or Wilberforce. But the difficulty has always been felt as to how to combine deterrent

## PUBLISHERS' NOTE

severity with individual reform. There is no doubt that in the past the community in its desire to protect itself has given no thought to its obligation to the offender. But in recent years, the conviction has been borne in upon the minds of thoughtful leaders of all civilized communities, that the infliction of pain upon the offender is no permanent security against crime. Criminals are not diminishing in number with the growth of civilization. This is because Law deals with the virulent manifestations of criminality without seeking to annihilate the criminal bacilli in the individual. A wise physician does not content himself with suppressing the symptoms but seeks to root out the germs of disease. The efficacy of Love as a remedial agent in the treatment of crime may be not easily demonstrated in grown up criminals—though they too have some hidden parts in their nature, which if appealed to with firmness and sympathy will yield a fruitful response. The case of juvenile offenders, on the other hand, is more hopeful. It is the duty of every civilized community in its own interest, if on no higher grounds, to see that every boy and girl who stumbles into crime is not allowed to grow up into an enemy of society but becomes a reformed and useful citizen. That this is possible may not be believed by persons acquainted with the existing prison system. The best way of convincing them is to show them that such a method has been tried and tried with signal success. A German philosopher has said "When History speaks, let Philosophy be silent." The

## PUBLISHERS' NOTE

service which Mr. Singh does in this connection is to show that human nature, average human nature, fundamental human nature, being the same all the world over, what has been done and is being done in America may well be done in India. It is believed that this book is not published a day too soon. Already Anglo-Indian administrators, like Sir Edward Baker and Sir Louis Dane are adumbrating schemes for the manufacture of good citizens out of misguided youths who have come within the scope of the Indian Penal Code. And who knows that the present publication of Mr. Singh's is not going to give an impetus in this country to a humanizing movement which is spreading its influence over all the civilized governments of the world ?

The publishers feel deeply indebted to so eminent an authority on Juvenile Court matters as the Hon. Ben. B. Lindsey, Judge of the Juvenile Court of Denver, Colorado, U. S. A. for writing the introduction. Judge Lindsey is justly regarded as the Father of the Juvenile Court. Frequent references to his Court work and working philosophy are made in the course of this book, and it is befitting that Judge Lindsey should introduce a volume intended to stir up Indian public opinion so as to compel it to accord the less fortunate children of the country a saner and more modern treatment. Both the author and the publishers are greatly beholden to Judge Lindsey for this expression of his paternal interest in the publication.

The thanks of the publishers are also due to Mr. Ramananda Chatterjee, proprietor of the *Modern Review*

#### PUBLISHERS' NOTE

in whose pages most of the articles herein included originally appeared though they have since been largely re-edited by the author, and to Mr. Prithvis Chandra Ray, editor of the *Indian World*, for permitting the use of a portion of an article originally written for his magazine.

# CONTENTS

	PAGE
INTRODUCTION ... ..	1
FOREWORD ... ..	7
CHAPTER I	
THE OLD AND THE NEW CONCEPT OF CHILD CRIMINOLOGY ... ..	13
CHAPTER II	
THE FOUNDATION PRINCIPLES OF THE CHILDREN'S COURT ... ..	29
CHAPTER III	
THE MACHINERY OF THE CHILDREN'S COURT IN MOTION ... ..	40
CHAPTER IV	
HOW BAD BOYS ARE MADE INTO GOOD CITIZENS... ..	65
CHAPTER V	
HOW BAD GIRLS ARE MADE INTO RESPECTABLE WOMEN ... ..	94



## CONTENTS

### CHAPTER VI

THE LEGAL FABRIC OF THE JUVENILE	
COURT	... 119

### CHAPTER VII

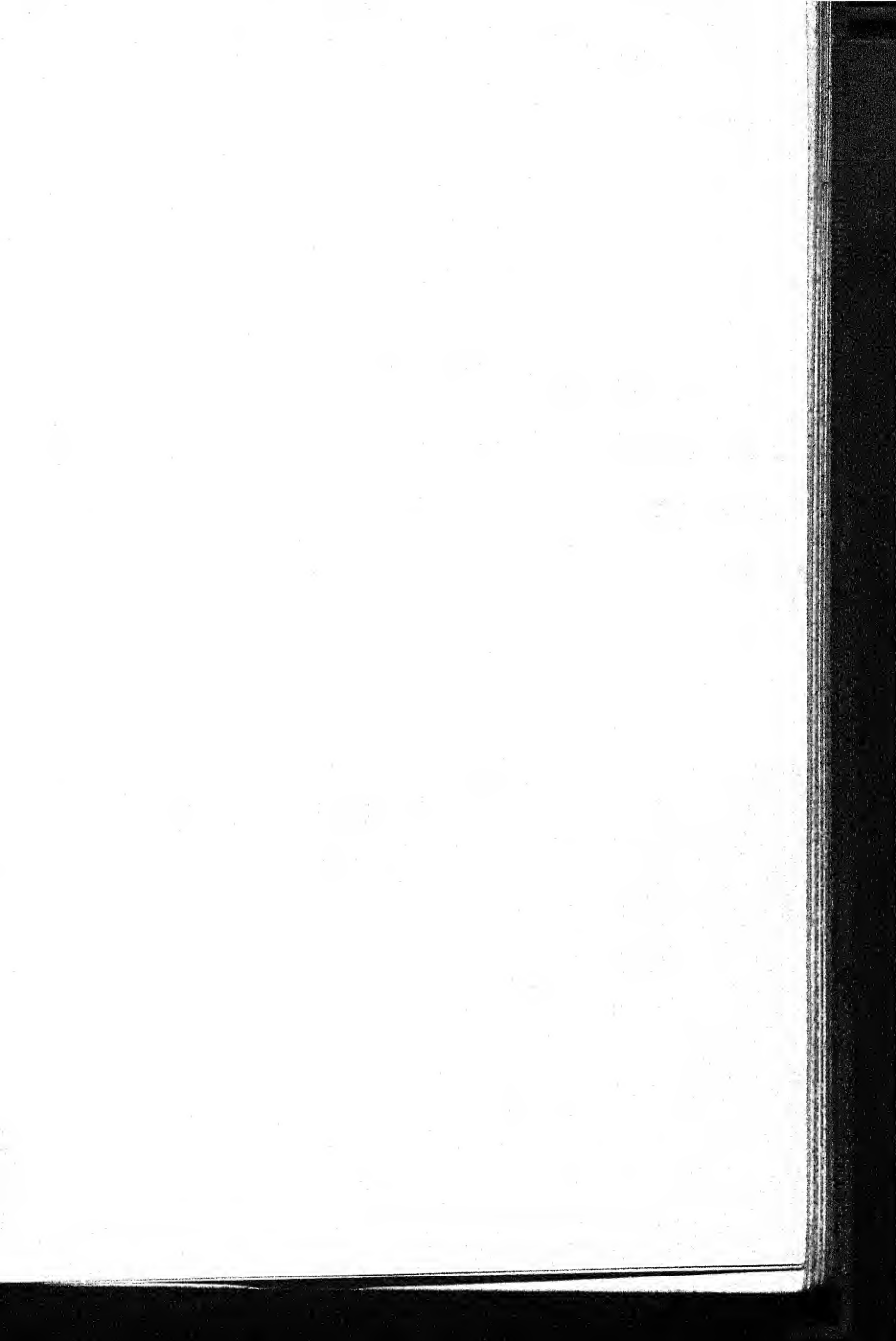
ESSENTIAL ADJUNCTS OF JUVENILE COURT	
LAWS	... 148
CONCLUSION	... 159

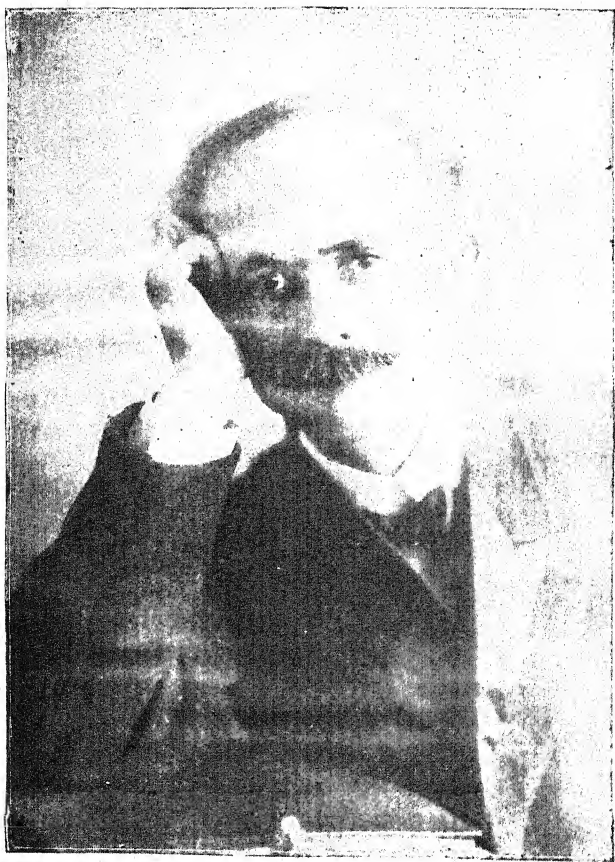
## LIST OF ILLUSTRATIONS

- 1 Saint Nihal Singh.
- 2 Judge Ben. B. Lindsey.
- 3 Typical Group of Mothers whose sons and daughters get into trouble.
- 4 Typical Truants.
- 5 Parlour of the Detention School.
- 6 The first boy sent to the Detention School.
- 7 Plotting mischief.
- 8 Typical Newspaper boy.
- 9 A typical leader of a gang of boys
- 10 Types of cottage residents.
- 11 W. L. Kuser.
- 12 Mrs. W. L. Kuser.
- 13 Type of Cottage and Residents.
- 14 Dining hall for boys.
- 15 Printing Department.
- 16 Building erected by the boys.
- 17 An interior view of tailor shops.
- 18 The Administration building.
- 19 An interior view of Carpenter shop.
- 20 A football team.
- 21 Cottage parlour.
- 22 Mending room.
- 23 The Iowa Industrial School—Interior of the Chapel.

## LIST OF ILLUSTRATIONS

- 24 Supdt. F. P. Fitzgerald.
- 25 Matron Alice Luce.
- 26 The girl as she comes in and as she goes out.
- 27 Symphony Orchestra of the Iowa State Industrial School for Girls.
- 28 Dress Making Department—Iowa State Industrial School for Girls.
- 29 Girls in their sitting Room enjoying an evening playing checkers etc.—Iowa State Industrial School for Girls.
- 30 Cottage Dining Room—Iowa State Industrial School for Girls.





JUDGE BEN. B. LINDSEY

## INTRODUCTION

The present century may well be called the century of the child. Never before in history have nations been so completely aroused to their responsibility for the child. Of course, the home, the school and the church must in the future, as they have in the past, bear the chief responsibility for the child ; but when the little one violates the law, when it joins the class of delinquents, it is not the home, the school, or the church that is permitted to deal with the case. The child is brought to court. It, therefore, becomes one of the most important duties of the State to deal fairly and justly with the child. History compels us to admit that in the past this was not done. It is only within the last decade that the State has been aroused to its real responsibility.

An interesting book called "Old Bailey Experience,"—being an account of the actual working of the penal code of laws under the criminal jurisprudence as it then existed in England—was published in London in 1833. The book appears to have been written by a schoolmaster. Here is his description of the trial and disposition of five boys under fourteen years of age :

"The Old Bailey Court, in proportion to the numbers, as often

## INTRODUCTION

sentenced boys as men to transportation for fourteen years and life. Nothing can be more absurd than the practice of passing sentence of death on boys under fourteen years of age for petty offences. I have known five in one session in this awful situation ; one for stealing a comb almost valueless, two for a child's sixpenny storybook, another for a man's stock, and the fifth for pawning his mother's shawl. In four of these cases the boys put their hands through a broken pane of glass in a shop window, and stole the articles for which they were sentenced to death, and subsequently transported for life. This act, in legal technicality, is house-breaking. The law presumes they break the glass, and it is probable in most instances they do so. In two of the cases here named, however, the prosecutrix's daughter told me there was only a piece of brown paper to supply the place of that which once had been glass. In the latter case, the unfortunate mother caused her son to be apprehended, in the hopes of persuading the magistrate to recommend him to the Refuge for the Destitute, or some other charitable institution. She, however, in the course of her examination, said she was away from home and that the house was locked up at the time of the shawl being taken, which was afterwards found at a pawn-broker's. This made it house-breaking ; and, in spite of all the mother's efforts, he was condemned to death. He is now in the Penitentiary. The judges who award the punishment at Old Bailey appear to me as if they were under the influence of sudden impulses of severity, there being at no time any regular system to be recognized in their proceeding. This, the prisoners know, and speculate on, particularly the boys."

The Home Secretary no doubt believed himself considerate to have commuted the death sentence of those boys. But when we consider the imprisonment in the penitentiary and the conditions to which youths were then subjected, embracing experiences that seared

## INTRODUCTION

their souls and degraded their bodies, we may well question if it would not have been better to have permitted the sentence of the court to have been carried out.

The great mistake of the State was in believing that when it choked boys it checked evil. It did nothing of the kind, for, as severe as were the penalties, crime increased. The schoolmaster, in his vigorous protest, contained in the "Old Bailey Experience" saw that mistake. It was natural he should see it. He was an educator. In education is to be found our chief hope to conquer crime. Jails and prisons are necessary: they have their place in this imperfect civilization of ours and will continue to have for a long time yet; but it is a mistake to believe that fear of punishment alone is going to solve our problem.

The Juvenile courts of America are administered upon the principle stated in the Colorado Law, namely: "That the purpose (of the act) is to deal with the youthful offender, not as a criminal, but as one needing aid, help, assistance, encouragement and education;" or, to gain use the language of similar acts, "To deal with the child as a wise parent would." What is the purpose of a wise parent in dealing with the delinquent child? To help him, to save him, to strengthen him morally, mentally, and physically. That must be a labour of love. Therefore the State has come to help and not to hurt, to uplift and not to degrade, to love and not to hate. Of course, all this must be done wisely through sane, practical methods, enforced by people selected for their competency, who know how to be kind and at the same



## INTRODUCTION

time firm; who know how to use sympathy without it being confused with justification for any wrong. When the Master went to the house of Zaccheus, the sinner, he brought him back to righteousness through the wise use of sympathy. Sympathy, kindness, patience, when wisely used, constitute the firmness that commands obedience in the home, the school, and the State. Brutality, punishment, degradation, brings forth hate and rebellion rather than obedience. Obedience exacted through force and fear may be necessary at times, but as a system it cannot yield lasting good results.

Before the days of the Juvenile Court I remember a boy brought to court for stealing six rupees from a drunken man. Under the criminal law the purpose of the proceeding was to protect the drunken man. That was all right as far as it went. To protect the man, the boy was charged with burglary and condemned to jail. In jail he came under evil influences and hated the State. He came out a worse marauder, and society still his victim.

This result was largely due to the fact that the salvation of the boy was no part of the proceeding. It had not occurred to the state that this boy—the little citizen, the man in embryo—was worth more than the six rupees that belonged to the drunken man, and however important it may have been to have protected that man, it was infinitely more important to protect, to save, to redeem the child.

This is the truth recognized by the juvenile courts : That the value of a child is not to be measured in

## INTRODUCTION

rupees and annas, nor is the thing the child did, however evil it may have been, to be cured by the hurt, the degradation, the ruination of the youth. In a word, under the Juvenile court system of protecting society from the evil acts of the child, the first consideration is the child, believing that its redemption, its salvation, constitutes the chief protection of society and the rights of society to the lawful possession of property. This was a fundamental change of supreme importance. It put the protection of childhood, of manhood, above the mere protection of money. For the first time in the history of jurisprudence we put a little love into the law. While love without justice may be sentiment and weakness, it is equally true that there can be no justice without love, and the Juvenile court system in America is an effort on the part of the State to wisely, sanely and helpfully inject a little love into the law.

My friend, Saint Nihal Singh, was quick to see the value of the principle involved. He saw its justice. He saw that it was founded upon everlasting truth. He has shown that in a series of articles that (aside from the too generous references to our own little work in Denver) I cordially approve and am rejoiced to know they are to be published in the little book that follows. The articles not only breathe the truth concerning the great problem upon which Mr. Singh writes so intelligently and entertainingly, but also his patriotism and love for the children of his own country.

## INTRODUCTION

May the same message, for suffering, unfortunate childhood, help the children of India as it has helped the children of America, is the hope of one who wishes his little volume the success it deserves.

BEN B. LINDSEY.

Denver, Colorado, U.S.A.

## FOREWORD

Now that a renaissance appears to be dawning upon Hindostan, and all communities are becoming more and more eager to push along the reconstruction of the Indian polity on a sane, modern basis, let us hope that the nation will not forget its juvenile wards, and continue its heartless, criminal neglect of the rising generation.

So long as four-fifths of our 550,000 villages are without schools : so long as there is no provision made for the correct development of defective and diseased children : so long as we are wanting in a practical system for the uplift of delinquent boys and girls : that long we merit to be classed as a *barbaric* people.

Only a nation lacking in foresight would woefully neglect its children as we do. Enlightened peoples spend the most of their money and effort on their little ones. It is wisdom of the highest type that makes other countries pursue such a policy. In the last analysis, the child is the foundation upon which rests the national edifice. If you endeavour to build a gigantic skyscraper on a weak base, the structure will fall to the ground. It is a vain, chimerical vision that would prompt us to exert our prime effort to a point other

## FOREWORD

than the proper bringing up of our normal, sub-normal and abnormal children.

No farmer can expect a bumper crop unless he has taken special pains to select his seed, to prepare his land for its reception, to plant it with care, with due regard to the time of the year, and, after the sprouts make their appearance, to keep them well-watered and free from weeds and nettles. A farmer who would neglect these necessary details, would be characterized as a foolish, wasteful, ignorant agriculturist. What, then, can be said of India's criminal neglect of her crop of babies?

It is, indeed, a reassuring sign of the times that nearly every one of our communities is taking an increased interest in the education of its young ones. But education of the normal child by no means constitutes the solution of the entire problem. The nation cannot afford to look upon the undernormal and abnormal children as so many tares, worthless nuisances that must be plucked away and destroyed. Such a course of action, if directly engaged in, would be designated as inhuman. Yet indirectly, a much more cruel practice prevails. Under-normal children—that is to say, diseased, deformed, and defective boys and girls—unless properly brought up to some useful vocation, are a dead burden on society, yielding nothing, but consuming much. These children, when grown to adult state, unless properly cultured, are unable to get an infinitesimal portion of the happiness that is theirs by right divine and the nation that neglects their

## FOREWORD

proper bringing up is responsible for nearly all of their unhappiness. Similarly, abnormal children—that is to say, wild, vicious, incorrigible youths—unless reclaimed from their evil inclinations, shall have to be supported by the nation in jails and reformatories, and for their benefit police establishments and criminal courts shall have to be conducted. Their lives in the penitentiaries cannot but be miserable, and society that has neglected the reclamation of these delinquents, must answer for the larger bulk of their misery. ~

You would not dream of introducing poison into your food and thereby undermining your system. But the delinquent youth who is not carefully and conscientiously handled, veritably constitutes a highly concentrated virus, that continually vitiates the body politic. To permit the filthy sewers and drains to pour into your drinking water is not a whit more reckless than to let a criminal freely move about in society and pollute it with his presence. Shutting up such a person is not the true solution of the problem. Filth is not something that improves by being temporarily put under cover. The longer it stands, the more menacing it grows to be,—the more hopeless becomes the question of disposing of it. Prisons do not exert a healthy influence upon the communities amongst which they stand. When the Jail-bird is let loose upon society, after being given several years' post-graduate instruction in criminality by professional crooks during his sojourn in the prison, he can carry on his depredations with greater skill and with less chance of detection than

## FOREWORD

before his incarceration. Verily, society has taxed itself to provide expert training to enable the vicious to disintegrate it.

How long shall society, in its short-sightedness, continue this reckless policy of making the criminal still more evil, and paying his board while he is being given his pernicious training? If the nation is to persist in this folly, let punishment of this character be confined to the hardened criminals. Why blight the future of the boy or girl who has been caught doing something merely cut of the way, by such perverse action? Let us not be contented with building separate penitentiaries or separate prison wards for these unfortunate youths with a view to screening them from habitual offenders. Such a course of action is manifestly inadequate. Let us establish institutions where the delinquent boy or girl will be made over again, trained to outlive their badness, and to be useful and respectable citizens. Other nations are doing this, and our national well-being, in a large measure, depends on our accomplishing as much.

The whole fabric of the Juvenile Court has been woven in order to protect the young one from being manufactured into a criminal. The State, through the agency of the Juvenile Court, takes in hand the proper rearing of those children who are parentless or who have inefficient, neglectful parents, and thus saves them from being degenerated by evil influences. Besides, the Court takes under its charge boys and girls who have inherited evil tendencies from their parents, or who have been contaminated by their vicious surroundings, or

## FOREWORD

whom their parents are unable to control, and, through its probation officers and training schools, weans them from their downward-tending course and inspires them to set their faces toward usefulness and respectability.

The Juvenile Court was originally evolved in the United States, but it has been adopted by all enlightened nations of the world. In fact, an essential test of the civilization of a people has come to be the efficiency with which the nation conducts its juvenile court system.

The following pages have been written after a careful study of the Juvenile Court system in vogue in various States of the American Union, in the hope that they may stimulate the people of India to organize a campaign to make the bad child good, and thereby initiate a very necessary movement that will check the woeful waste of Indian children.

While it is clearly recognized by the writer that the institution of the Juvenile Court, as it exists in the United States and other countries, cannot be transplanted bodily to Hindostan, he is firmly convinced that the legal and administrative machinery of the American Juvenile Court can be remodeled to suit the peculiar requirements of India. This remodeling, to be sure, cannot be done by a single person. It will have to be worked out by groups of people well-versed in law, and also in child psychology and sociology. But since, sooner or later, India shall have to face the solution of the child-offender problem, information on the various aspects of the question has been



## FOREWORD

correlated and presented here in popular form with a view to stirring up action, in the first place, and, in the second, to provide the foundation upon which the superstructure of the Indian Juvenile Court can be raised.

SAINT NIHAL SINGH.

*July* 1910.

# MAKING BAD CHILDREN GOOD

## A PLEA FOR AN INDIAN JUVENILE COURT.

### CHAPTER I

#### THE OLD AND THE NEW CONCEPT OF CHILD

#### CRIMINOLOGY

As we slowly filed out of the brightly-lit, cosy Juvenile Court room of an American city into the slush and wet of early spring, two big tear drops trickled down my cheeks, despite all my efforts to control myself. My companion, an American woman of broad sympathies, patted me on the shoulder and consolingly urged :

"Oh, cheer up. Forget them."

Instinctively I applied my handkerchief to my eyes and hastily brushed away the traces of my welling emotion ; but the volcano raging within my heart I was powerless to quell—and had I possessed the ability to smother my feelings, I would have refused to do so. It would have appeared criminal to follow the kindly-meant advice of my friend who that day had initiated me into the mysteries of the Juvenile Court.

That very morning, before my friend had taken me to the "Kid's Court," as this institution is called in popular phrase, I had read in a Calcutta newspaper that the Chief Presidency Magistrate of an Indian Metropolis—an Englishman—had sentenced a boy of sixteen to receive a whipping of 20 stripes, his offence being that he had stolen two pumpkins, worth 5 annas. From the same source I had derived the further information that the number of juvenile offenders sent to prison during the last year had increased by 9.3 per cent.

Here in the Western City, I remarked to myself, the Juvenile Court Judge was without official ermine or "judical dignity." Of a slight build, and with clean-shaven face, as he sat on one of the ordinary stools in the court room, surrounded by boys and girls of different ages and many nationalities, it was impossible to say positively who of the crowd was the "trying magistrate" and who the criminal offenders. The language of the judge was not dissimilar to that of the rest of the people in the room. He used slang parlance as freely as did the boy and girl criminals. He appeared to be very much "at home" with his youthful charges. So were they with him.

The Judge, in my presence, disposed of a case of an habitual delinquent. The Juvenile Court doctors had examined the girl criminal and discovered that her kleptomaniac tendencies were directly traceable to the skull pressing on a portion of her brain. A surgical operation was ordered. The doctor told me in private

that he was confident of success in rendering the abnormal child normal, as the method, though new, was no longer a mere theory, which still required to be demonstrated. He told me of an operation of this kind recently performed by a London surgeon. It seems that a boy of good family, who had always been surrounded by the best possible influences, suddenly began to show evil, even brutal instincts. Everything that his parents and friends could do to stop his wicked tendencies was of no avail, when finally some one suggested that the trouble might be one that a physician or surgeon could cure. Thereupon a well-known surgeon was consulted, who asked that the boy be sent to him for a careful examination. The surgeon conceived the notion that something might be the matter with the boy's brain, and having made a thorough examination of his head, he thought he had found the seat of the evil. Under his direction, the youth was taken to a hospital where a part of his skull was removed. In a few days he was turned over to his parents, completely cured.

Such care, such calmness, so much love and helpfulness were displayed in the court room that I could not restrain myself from remarking that the business of the Juvenile Court was not to *punish* the boy and girl criminals, but to *uplift* them. I saw that the effort was being made to give the youthful offenders a new start in life—to make good men and women out of them. The State seemed to be acting on the theory that it is by far cheaper to "save" a delinquent youth than to

allow him to become a hardened criminal and ultimately a charge on the public purse.

The contrast between the methods of the magistrates who deal with juvenile offenders in India, and the American Juvenile Court judges is so great that it is impossible not to be impressed by it. Their *modus operandi* are as vastly dissimilar as the two poles. They act from different *motives*. In India the Judge deals with the young offender as a "criminal." His maxim is: "An eye for an eye, a tooth for a tooth." The youth has sinned against society: society must be revenged. The law cannot be cheated out of its legitimate due. The Indian Penal Code is designed with a view to punish offenders, not to make good men and women out of them. Our legislation in regard to the youthful criminal continues untouched by the spirit of our times. It remains ancient and unscientific. It refuses to recognize the advances made in child-culture and in the methods dealing with the delinquent and viciously-inclined embryonic man or woman.

Luther Burbank is known the world over as a plant-wizard. He has studied the science of horticulture and floriculture and mastered their mysteries. He has endeavoured, by assiduous and persevering observation, to coax from Nature her secrets. He has taken the common daisy and trained and cultivated it. By careful selection and environment he has succeeded in increasing it four or five hundred-fold in size, beauty and productiveness. He has taken the yellow Californian poppy and by

## THE CONCEPT OF CHILD CRIMINOLOGY

selecting over and over again the plants possessed of the qualities which he wished to develop, he has produced poppies of orange, crimson and blue colours. As one of his masterpieces, by proper selection of environment, and cross-breeding, he has succeeded in "creating" a luscious fruit, from the thorny cactus of the desert. By crossing the blackberry and raspberry, he brought into existence a new species which was like neither parent, but which resembled both. This modern wizard authoritatively declares:

"The child, in nature and process of growth, is essentially the same as the plant, only the child has a thousand strings instead of but few as has the plant. Where one can produce one change for the betterment of the plant, one can produce a thousand changes for the betterment of the child. If the child has but the smallest trace of some characteristic you desire to develop, take hold of it, care for it, surround it with proper conditions and it will change more certainly and readily than any plant quality. Surround the child with the proper environment to bring out certain qualities, and results will come. Work in the same way as I do with the plant. The development of the individual is practically unlimited."

Such an ideal is essentially modern. The child, the most precious asset of the State, is slowly coming to be regarded as a human being with special rights and privileges of its own. Hitherto the State, instead of standing *in loco parentis* to the child, took the form of a blue-coated policeman with a club in his hand: or at best, treated the child as does the step-mother, as if it was an interloper. The little one clung to the skirts of the State which paid no heed to it

## MAKING BAD CHILDREN GOOD

but left it unknissed, uncared for and unloved, as if it was ashamed to own it.

As man is growing in intellectuality, he is more and more realizing that it is the height of extravagance to be penny-wise and pound foolish. If, in his sane moments, he would not take a pair of scissors and deliberately mutilate and destroy valuable deeds, securities or paper money, if in his normal State he would not wittingly bore a hole in the bottom of a steamer laden with precious freight and scuttle it, why should he maim the nation by destroying the potentiality of the child or allowing its faculties to remain but partially developed? For children form the most vital, the chief asset of a community. They are the fulcrum on which rests the lever of the country's prosperity and expansion. They are the keystones of the arches of the national superstructure. They are the pivotal point of a people's entity. They are the rainbow of hope for the future. The great men of to-day who are doing grand things, will be dead to-morrow. The responsibility then will rest upon the shoulders of the present generation. The adults of to-day owe the men and women of to-morrow the best of care and attention.

The modern man looks upon the child as he does on his business. He considers it more economical to save a youth than to punish a criminal. Law Courts, police establishments, reformatories, jails, prison colonies and insane asylums, all cost money and create many complex and vexatious problems. The criminals for

## THE CONCEPT OF CHILD CRIMINOLOGY

whose benefit State penitentiaries, police courts, and such legal paraphernalia are maintained, in almost every instance were merely delinquent boys at the start of their careers. If the delinquency of the youth had been nipped in the bud, he never would have become a criminal, and consequently the people would not have been obliged to pay taxes for the institutions maintained for his punishment or so-called reform.

Hitherto society has preferred to weed out the bad child rather than engage in making it good. The delinquent and defective juvenile has been allowed to grow as it might, and, when developed to manhood or womanhood, it showed the least inclination to fall away from social regulations, it has been visited with society's ire and sent to jail, and sometimes to the hangman. The worst feature of this old way of dealing with delinquent youths lay in the fact that, though punishing them as criminals for alleged crimes, society was not content with the punishment, but continued to brand them as outcasts when they emerged from jail, after having paid the price of their folly, thus making it impossible for them to be anything but bad, so long as they lived.

This was pre-eminently a short-sighted policy, and the enlightened communities of to-day are beginning to realise its defects. The building and maintaining of jails not only costs money, but the bad child, like the weed, goes to seed and breeds abundantly of its kind : thus society under the old regime not only taxed itself to guarantee the living expenses of evil members whom



## MAKING BAD CHILDREN GOOD

it consigned to penitentiaries, and significantly failed to make them useful citizens ; but also directly contributed toward the propagation of more criminals by permitting bad children to contaminate others, and by imprisoning the little ones who had committed some slight depredation along with hardened criminals, thus submitting them to an influence which was mephitic, and which never failed to taint their entire after life.

Within the past decade society has come to realize that it is infinitely cheaper to conduct a reformatory than to keep up a jail, still cheaper to keep the bad child out of reformatories and appoint a probation officer who will help it to overcome temptation and by sane guidance and counsel, assist it over the rough places in life, engender in it healthy habits of body and mind, develop its normal appetites and discourage abnormal tastes, and by securing the co-operation of the parents in making it a valuable member of society, not only save it from crime, but also materially contribute to the moral and material uplift of its parents or legal guardians. For the probation officer often is obliged to take in hand the education of the parents along hygienic, moral and æsthetic lines in order to make it possible for them to provide an environment that will be beneficial to their children, and thus, in uplifting the little one, the tone of the family and eventually that of the the entire neighbourhood is raised.

A prominent American jurist has declared that a

## THE CONCEPT OF CHILD CRIMINOLOGY

single probation officer who is earnestly and enthusiastically engaged in his work, will be able to do more in a single year to prevent crime than the best prosecuting attorney can do in five years by bringing criminals to book for their evil deeds. The late Judge Murray F. Tuley, one of the oldest and most respected members of the Circuit Court of Chicago, declared publicly that the Juvenile Court of that city had done more during its brief existence to decrease crime than all the courts of the State could do in twenty years.

The probation idea originated in the United States of America, and there it can be seen in operation in its highest and best forms, although to-day it has been copied by practically every enlightened nation interested in saving the child of to-day in order to provide a splendid manhood and womanhood for to-morrow. The Juvenile Court had its inception in the brain of a Chicago woman, Mrs. Lucy L. Flower. She interested the members of the Chicago Woman's Club in the idea, and their support led to the enactment of the Juvenile Court Law, largely through the efforts of the late Judge Harvey Hurd, who has been called the Father of the Juvenile Court. The development of the idea has received a great deal of attention throughout the United States especially of Judge Ben. B. Lindsay, who has made his Juvenile Court at Denver, Colorado, the model court of its kind in the world.

The idea of the Juvenile Court is to remove the little one who is going wrong entirely from the taint of the

jail, and treat it as a child rather than as a criminal. Instead of being herded in an ordinary jail with felons of every description who would teach it to do things it never would have dreamed of without being expressly taught the youngster little one who has committed a depredation, perhaps only in childish play rather than because of viciousness, is taken to a Juvenile Home, where only children are cared for. Here it is kept until the Judge of the Juvenile Court can look into its case and decide what is the best thing to do for it. More than likely it is placed under the care of a probation officer and sent back home to be looked after by the parents ; but if, after repeated trials, the child still fails to reform, it is sent to a " training " school where it will be subjected to the necessary discipline and at the same time will be taught a useful trade. At the institution the child is handled as an individual rather than as one of a common herd, to be treated all alike. It is studied carefully, and when it is discovered in what direction its talent seems to lie, it is trained along lines that will bring out all the good that is latent in it. At the same time its bad qualities are starved out for lack of expression.

The probation system constitutes the central idea of the Juvenile Court. The functions of a probation officer are many. The delinquent child is entrusted to his care and the law gives him authority over the small charge which exceeds even that of the parents themselves. He looks after the conduct of the little one and makes regular reports to the Court regarding its

## THE CONCEPT OF CHILD CRIMINOLOGY

behaviour. He persuades it to lead a moral and upright life. He decides as to whether or not the parental home is a healthy environment for it. He has the power, backed by an order of the Court, to take away the child from parents who are incapable, for any reason, of bringing it up properly. It is his duty to select foster-parents for the ward of the court or place it in an institution. If he finds that he can improve its surroundings by uplifting the parents, he sets to work to do this. But in all his work he never loses sight of the fact that the saving of the child is his prime duty, and that the little one belongs as much, if not more, to the State than to its own parents.

Judge Lindsay recently remarked : " When parents and the State do their full duty toward the child, there will no longer be any use for the Juvenile Court; " but so long as it happens that children are born to parents who are incapable of taking care of them and developing them into law-abiding and useful citizens, it is imperative that the young boy or girl charged with crime should be rescued from the ordinary court and from the usual punishment—a term in jail—and tried by a Juvenile Court Judge, as a child, not as a criminal—a Judge who will be eager to give it the chance to outgrow its badness and become a good citizen.

The whole structure of the Juvenile Court is based on the idea that a delinquent or an erring boy or girl should be treated as a child, and not as a felon. Judge Lindsay says :

" All children are entitled to childhood. The question is not

what is best for the law, but what is best for the child. Correct the child as a child, and not as a criminal. My duty is to make the child a good citizen; and I try to teach the child to want to do right, to dare to do right. Ask the child; 'Is it right to steal, do you want to be a thief?' and he will understand you; but talk to him of jails and the police and he will hate you. Our system of dealing with the child is based on force and violence. We must remember that fear of a policeman never yet made a bad child good. I do not try to make a bad child good. I show him that I do not wish to harm him, but to help him. As we strengthen the rights of the child we add to our national wealth."

These words spoken by Judge Lindsay are pregnant with potent good for society. They contain the nucleus of what the world to-day knows about child saving, which when boiled down, resolves itself into the fact that the juvenile delinquent is not bad because of innate badness, but merely through coming in contaminating contact with evil around it. Viciousness with the youngster is not inherent. It is rather incidental. The Judge therefore exhorts: "Do not prosecute the child; prosecute the adult who helps to degrade the child." Suiting the action to the words, the juvenile Court Judge prosecutes the mother who permits her daughter to read cheap, trashy novels that tend to degeneration; and punishes the father who sends his son to a liquor shop to buy drink for him and thus places him on the highway that leads to drunkenness, disgrace and death. Likewise he prosecutes the bar-tender who, goaded by greed, sells wine to a child of tender years who has been sent by its parents on the mission to procure it for them. The fault primarily

## THE CONCEPT OF CHILD CRIMINOLOGY

lies with the adults, and they are considered to be responsible for it, not the youngster.

What the Juvenile Court is doing to-day is merely to take the bad boy or girl out of the clutches of the law—for clutches they are, in every sense of the word—and place it in the hands of a child-doctor—one who, through intelligence, sympathy and training, has the ability as well as the inclination to trace the causes of its delinquency and irrectitude and help fashion for it a new character, filled with goodness. The Juvenile Court is laying emphasis on the fact that each child's case should be judged on individual merits, and that the judge shall take time and pains to investigate the history of each little one and its parents, and shall change its environments so as to give it an opportunity to live a decent, straightforward life. The Judge is the father, the preceptor, of the erring juvenile rather than the trying magistrate.

The philosophy of the Juvenile Court which advocates the lenient treatment of the delinquent, the so-called criminal child, and stimulating in him a desire to uplift himself, instead of frightening him into being good, is new and revolutionary. At first thought its utility and even its saneness, is liable to be questioned. The doubt, however, is inspired by the novelty of the philosophy. It vanishes as soon as a person analyses the doctrines of twentieth-century child-saving. Careful investigation shows the soundness of the theory of kindness and self-help and demonstrates that the new theory is scientific.

Placed side by side with this new method of dealing with the little one, the present system of child penology presents a lurid contrast. We find the Juvenile Judge treating the so-called young criminal as one involved in trouble, who ought to be helped, comforted, advised and guided rather than snubbed, punished and jailed—making the young offender look upon the magistrate as a friend, counsellor and loving parent. The trying officer seeks to trace the crime of the youngster to the incapacity or neglect of parents and teachers and to the foulness of the moral atmosphere in which it has been placed and by the removal of these circumstances, lays a firm foundation for the formation of a truthful, sturdy, honest, useful character.

Contrary to this is the procedure which obtains to-day in Hindostan. The boy or girl who commits no more serious depredation than a mere mischievous prank, is arrested handcuffed and led to the tribunal, much as a lamb is led to the slaughter block. There the Judge, in his official ermine, looks glum, forbidding and awe-inspiring. The charge is read against the child, the defence counsel if there is one, makes the plea, and the Judge awards his decision. Sometimes the child is not only sentenced, but the magistrate goes out of his way to read a homily to the juvenile which pours oil on the flames of hate and fear that are raging in the lad's heart. The conviction lands the youthful offender in jail, where the continuing influence of confirmed criminals paves the way for an eventual career of crime. This boy is lost to his

## THE CONCEPT OF CHILD CRIMINOLOGY

family, hated by society, which is not only made to pay the penalty for its folly by feeding, clothing and maintaining the youngster made into a criminal, during the balance of his life, but also loses the usefulness of a member.

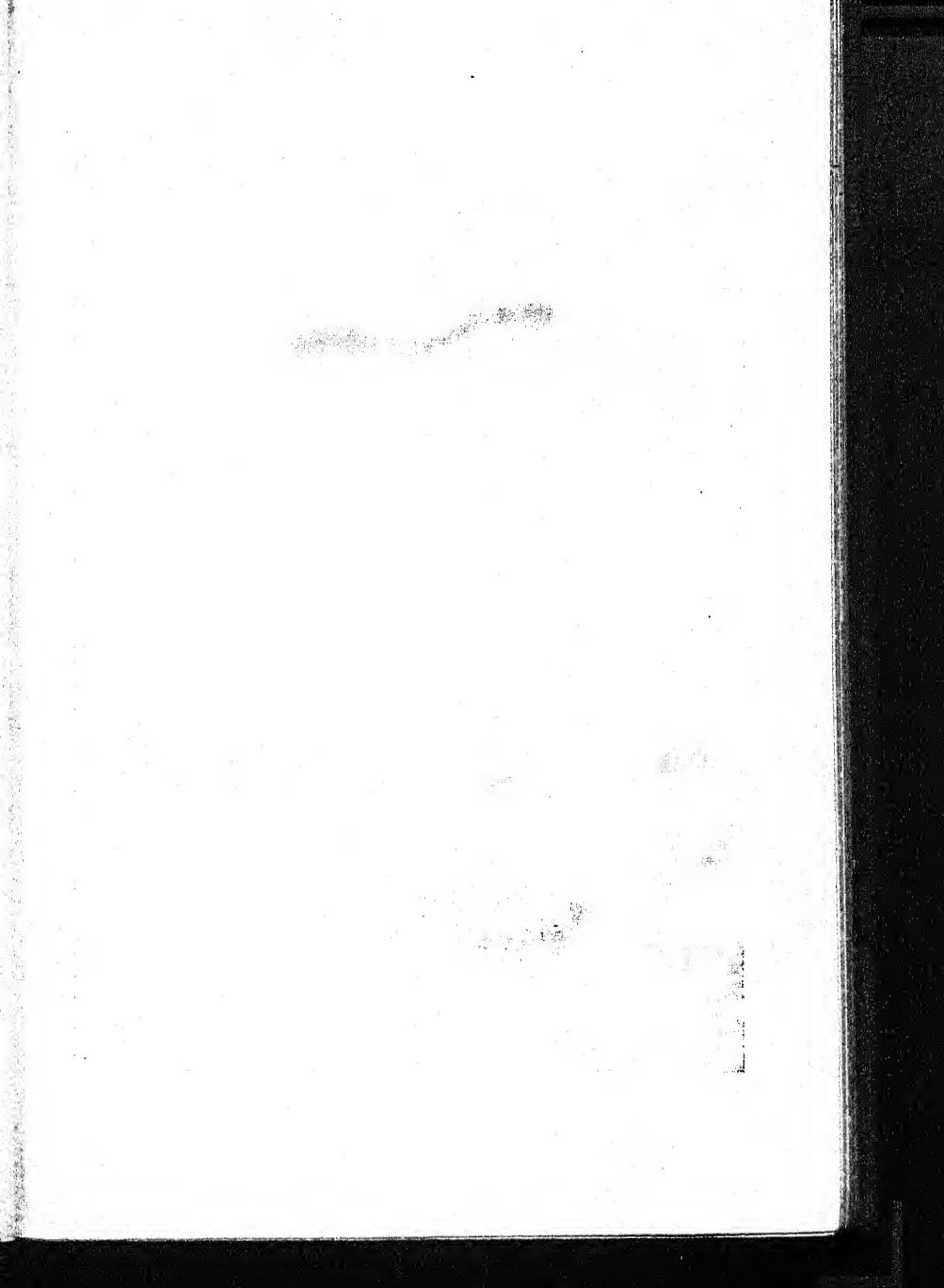
The exigencies of the times are such that boys and girls are bound to get into trouble once in a while. Probably if every child guilty of violation of the statutes could be caught red-handed in some overt act, pure mischief at the bottom, but nevertheless opposed to some law, commonly committed day after day, not ten boys in any large city, or even in a rural district could escape the taint of being labeled as criminals. This is true, not only of the United State, but also of India and every other country. Temptation may put a boy or girl on the road that leads to destruction ; but is society justified in kicking the child down hill and thus giving it a further impetus toward ruin ? Shall we persist in our code of pseudo equity which, like the greedy Shylock, demands its pound of flesh, and, doing so, blast the lives of young one who, through mischance, have taken a mis-step ; or shall we be sane and, reasonable, and, in the light of modern criminology and especially child penology, lend a helping hand to the erring one, pull him out of the mire, wash the mud from him, give him new and well-fitting garments, and then put him on the road that leads to the land of sunshine, happiness and usefulness ?

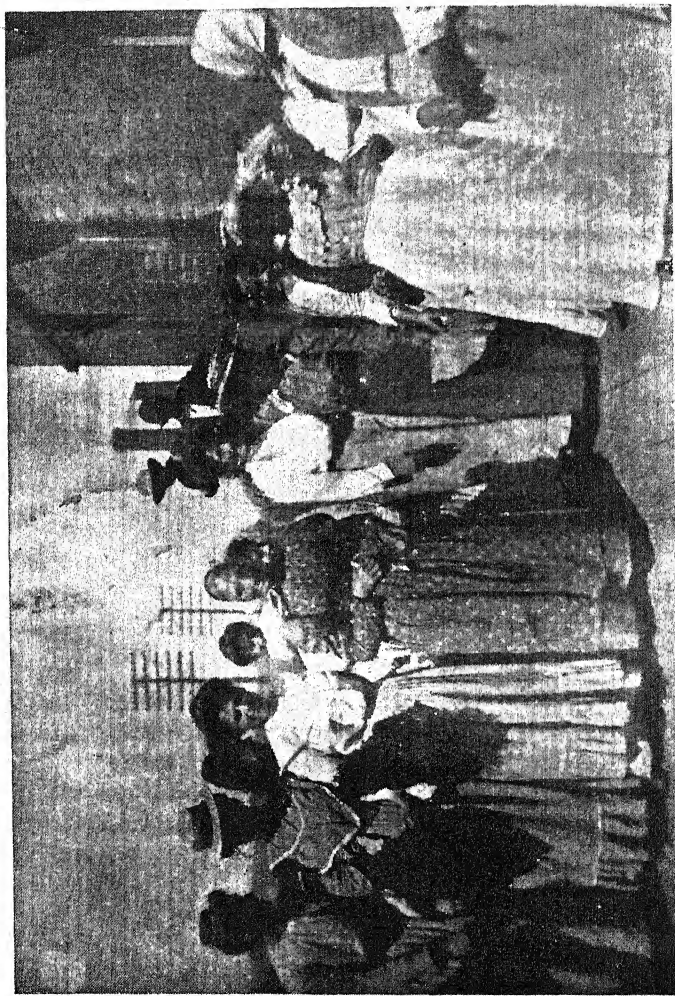
On pain of death, a disgraceful national death, let



## MAKING BAD CHILDREN GOOD

us look into this question, and face it like men : and in facing it, let us remember that as we daily walk about, doing our business and private errands, we oft times become stuck in the quagmires of dishonor ; that the garments of the best of us are be-sprinkled with mud ; and that for us men a code of mercy rather than pound-of-flesh justice has been decreed by Providence to be the guiding principle of our lives. Let us consider the future of the nation, and give our children a chance. Let our normal youths have the opportunity to secure a good education, and let the abnormal and under-normal children have our loving, parental care. And, for the correction and uplift of the wayward or fallen youth, let us establish humane courts, under the fostering care of men and women who are not in love with rupees and pies, who are not slaves of legal technicalities and a hard-headed, tooth-for-a-tooth system of equity ; but who are filled with the milk of human kindness, and whose speech and example are uplifting and cheering.





TYPICAL GROUPE OF MOTHERS WHOSE SONS AND DAUGHTERS GET INTO TROUBLE

## CHAPTER II

### THE FOUNDATION PRINCIPLES OF THE CHILDREN'S COURT

The Juvenile Court is just what its name implies—a tribunal especially designed to handle children cases—a Court where the little folks never come in contact with old hardened criminals, where they are advised and helped as *children* not punished as law-breakers, a place where the young ones are dealt with as a loving, careful, wise father would treat them, where no stigma is attached to the attention which the law bestows upon them, a factory of character, where the raw products of neglected or evil-inclined or bad boys and girls are turned into good, happy, useful men and women.

The Juvenile Court rests secure upon the foundation of humane and loving treatment of the child. The doctrine of fear does not enter its doors. Deterrent punishment is not its guiding principle. The average boy or girl who is punished by a criminal court and put into the penitentiary is not encouraged to do right or made to shun wrong. The punishment merely encour-

ages the youngster to avoid being caught red-handed in the commission of an offence. The judge may consider that he is inflicting a deterrent punishment on the juvenile offender ; but in reality he is merely inspiring in the mind of the punished child a hatred of the law, the law-maker, the law-administrator, and of the policeman's club.

It is the theory of those interested in child-saving to-day, that every little one has a God-given right to the enjoyment of fun and happiness which are peculiarly synonymous with juvenile life and belong to the world of the youngster. Out of this world the youth should not be lifted and cast into another—the world of the grown-up. On the contrary the Juvenile Judge seeks to impress upon the younger offender the fact that he is his friend and helper and means to assist him in securing for him the enjoyment of the rights and privileges that are his birth-right. The judge however, impresses his friendliness upon the mind of the child without permitting him to mistake kindness for weakness. The boy must understand the Judge, and the Judge the boy—the lad must be enlisted in favor of his own good and uplift instead of being allowed to assume a mental attitude of opposition which would hinder and hamper the efforts of the Judge to save him from rack and ruin, secure for him the happy childhood which every boy ought to have, and render him a useful citizen.

Broadly speaking, the delinquent juvenile is the child of the street—of a city street. His badness is mainly

## THE FOUNDATION OF THE CHILDREN'S COURT

a matter of environment. Overcrowded cities without provision for healthy, public playgrounds, incline the neglected child toward perversion. The slums and the ghettos—the East Ends—were never designed by God to be the homes of growing boys and girls. Their atmosphere is sickening, physically, and choking morally. Children brought up in such environs have a poor chance to develop into upright men and women. The influence of good parentage, of school, of church, combined are powerless, under circumstances such as exist in the poor quarters of the large towns, to save children from going to destruction, unless exerted in concert with the protecting care of intelligent parents and guardians, who see to it that the child does not succumb to the temptations of city life. Where the parents are poverty-stricken and ignorant, or where they take no interest in the proper development of their children, the boy or girl has a poor chance to form a good character. The lack of physical nourishment, proper food, cleanliness, wholesome sanitary conditions and sufficient clothing is not only responsible for a great deal of unhappiness and suffering among children, but directly contributes to their delinquency. The children of the suburban villas would be no better than the children of the East End if subjected to the same evil influences. The Juvenile Court works on the theory that if a child is expected to reform, it is only just and fair to improve its environment as far as possible.

Although the problem of the child is a problem of the metropolis, yet it is not to be supposed

that delinquent children are confined to cities alone. The country produces them, the same as does the city. Children are apt to be neglected by parents in the rural districts as well as in the larger towns. The country as well as the urban child is liable to have incapable parents. A bad example is as likely to be painted before a rural as before a city child. Naturally juvenile offenders are to be found both in the country and city—although the city, with its numerous temptations, furnishes the larger percentage of delinquent youths. In the circumstance, therefore, it is just as necessary, for the State to take in hand the bad child of the country as of the metropolis, for one little one gone astray is a leper spot, and the contagion of wickedness is communicated by it to every juvenile with whom it comes in contact. Unless the one bad boy or girl is looked after, the young folks of the entire community may be ruined.

Upon closely examining the status of the parents of juvenile offenders, one learns that it is not alone the offspring of poor and illiterate parents who stand in need of the protection of the State, through the intervention of the juvenile Court. Like the beggars that cross London Bridge, the State has to act *in loco parentis* to children, "some in rags, and some in tags, and some in velvet gowns"—and the velvet-clad children form by no means a startling minority. In the eyes of the law, the resident of a palatial building, whose child goes astray while the parents are out riding in motor cars and attending social functions, is as much a neglected

## THE FOUNDATION OF THE CHILDREN'S COURT

child as the little one whose parents are drunkards and incapable of bringing it up in the way it should go. Both children are equally wards of the State, and it is considered just as necessary for the Juvenile Court to see to it that good influences are brought to bear upon the child of the rich, in order to develop it into a good citizen, as the child of the slums. All grades of society meet on an equal footing in the Children's Court.

The judge of a Juvenile Court relates that recently he came across a typical example of the neglect of children by intelligent mothers. The mothers were highly-cultured women, and had organized clubs in which they discussed questions of the social and moral betterment of society. All of them engaged in dispensing practical philanthropy. But while these good women were thinking and talking about the condition of the poorer people, at their Thursday afternoon club meetings, their own daughters at home were going to the bad. The girls, finding that they were always left alone on a certain day of the week, invited their boy friends to come to the house, and engaged with them in revels that ruined their bodies, minds and reputations, and finally landed them in the Juvenile Court for correction.

The power of example is one of the most potent forces to be taken into consideration by the Juvenile Court in dealing with the child-problems that are constantly coming up before it. It is the most natural thing in the world for the little folks to copy the words and ways of their elders. In this respect, juveniles are



like monkeys. Their eyes and ears never let any act or word escape them ; and they are inspired with a deep desire to imitate their elders. For instance, more than half of all school boys in the United States are addicted to "swearing" because they constantly hear men "swear," both at home and on the street, and they think it is a sign of manhood to make use of oaths in conversation. Not infrequently this spirit of emulation leads the youngsters to commit actual crimes. Fred, aged ten, heard his father remark that he had had trouble with a neighbour, and wished he could "get even" with him. Fred immediately took upon himself the anger of his father, and two nights later set fire to the neighbor's barn, destroying it as well as two cows and three horses. The boy did not attempt to conceal the fact that he had burned the barn in order to "revenge" his father's wrongs. Another boy, George, aged nine, set a building on fire and destroyed Rs. 75,000 worth of property. He was suspected and frankly acknowledged the deed. He said, however, that it was no more than his father would have done. This at once gave a clue to the circumstances. Upon inquiry it was discovered that the boy had witnessed a quarrel between his father and mother, in the course of which the father set a lace curtain on fire, and said that for 'two cents he \* would burn up the whole building.' Two days later the boy quarrelled with his mother. He waited until she had left the apartment and

\* An American cent roughly Equals two pice.

## THE FOUNDATION OF THE CHILDREN'S COURT

then deliberately set the lace curtains on fire. This caused the destruction of the building. The boy was taken away from his parents, who were living unhappily together, and paroled to a gentleman who guaranteed to improve his morals.

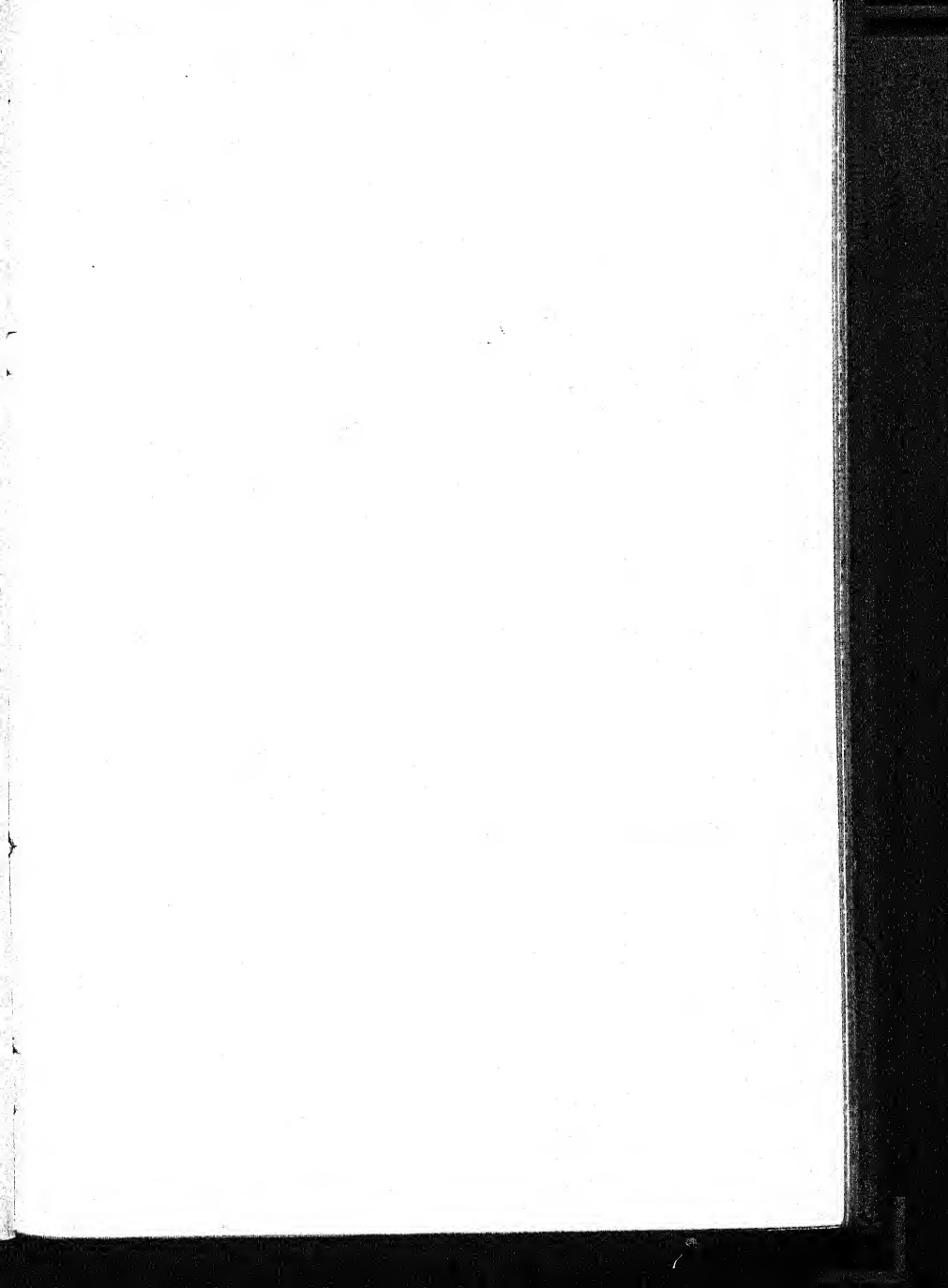
These are examples where parents suggested a child into bad thoughts and thence into bad actions ; but some parents do even worse than that—they incite their children to do wrong in a more direct manner. The child of tender age is sent to a liquor shop to buy wine for his parents, and thus comes in contact with vice in its foulest forms. Some parents incite their children to steal coal from railroad yards, pilfer rags, junk, brass or lead from wagons. These parents furnish first training in crime, dull the moral susceptibilities of the child, and put him on the high road that leads to destruction.

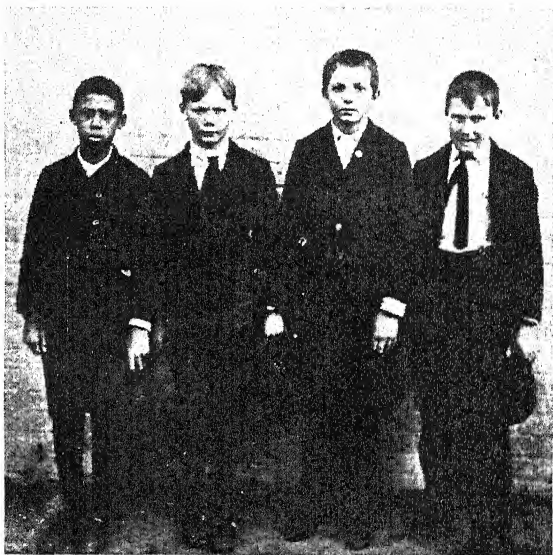
How can the child learn to respect the rights of others, to obey the laws, when the parents do not do so? What good does it do for the boy to learn in Church or Sunday School, "Thou shalt not steal"—"Thou shalt not take the name of the Lord, thy God, in vain"—when its parents teach it to steal and send it out to pilfer whatever it can lay its hands on ; and make use of the foulest oaths in speaking to it? Why punish the child for doing what it is taught to do by those whom it looks up to for training? Why not, on the contrary, give him the opportunity to learn better things? To put him in jail will not reform the boy, even though it may satisfy the complainant whom the youth

may have damaged through ignorance of the rights of others. Society of today is built upon an "eye for an eye and a tooth for a tooth" basis, and the person whom the boy has wronged unwittingly, will feel aggrieved if the lad is not treated as a criminal and punished for his offence; but in the eyes of the Juvenile Court Judge, the boy is of far greater moment than the property he has ruined, and he treats him calmly and sanely—deals with the case so that the lad will have an opportunity to develop the sense of right and wrong and of responsibility, which has been dulled in him.

Again, the youth may commit what would be, in the eyes of the law, a crime, but in reality was a benevolent act. His parents may be poverty stricken. He may have a young sister who is unshod, and who has to trudge over damp, cold, slippery, snow-covered pavements. It would be theft, indeed—a crime against the rich owner of the shoe store—if the boy should steal a pair of shoes for his bare-footed sister; but is society justified in punishing this boy for being benevolent to his sister, even if he has had to break man's law to be so?

The boy lives in a district whose moral tone is distinctly low. The boys with whom he associates are of the toughest character. Our boy may, by nature, be the best of youngsters, but he cannot but be spoiled by the degenerating influences around him. He goes to the public school where he comes in contact with boys and girls of all kinds, and is thus open to influences,





**TYPICAL TRUANTS**

## THE FOUNDATION OF THE CHILDREN'S COURT

good and bad. Suppose he learns badness from his companions—breaks some man-made law—some convention of society. Is he to be punished and thereby embittered against society; or should he be helped to lift himself out of the mire in which he has become imbedded?

There may be a gang of boys bent on mischief, or actually engaged in mischief-making. The gang members have a code of honor. To use an Americanism, they will not "snitch," that is to say, turn informer upon one another. Is the effort to be made to break the will of the youth so he will tell on his companions, and thus make him a wretch of an informer? Is the endeavour to be made to break up the gang? Or, on the contrary, is the "spirit of the gang" to be strengthened and directed toward more laudable objects? Boy-savers have learned that by working in line with this "gang spirit", by cultivating it, but endeavouring to raise it to a higher level, it is possible to reach and reform many lads who otherwise would be invulnerable to coaxing, cajoling or driving.

Thus far nothing has been said of dependency and truancy—two phases of child-saving work that receive a large share of the attention of the Juvenile Court. By no means all of the little ones who come before the Juvenile Judge are delinquents. Delinquency is the last link in the chain that connects criminality with respectability. The first link is dependency. There is nothing necessarily bad about a dependent child. Perhaps its parents are dead, or drunkards, or for some

other reason are incapable of raising a child so it will be a good citizen and will secure those birthrights of every American child—"life, liberty and the pursuit of happiness." Perhaps the parents are well-to-do, educated, refined, and in every way able to provide a good home for their offspring, but have lost control over the headstrong child. In all such instances, the Juvenile Court steps in, snatches the child from the dangerous quicksands, and sets its feet on solid rock, finds a new home for it where it will receive loving care from tender-hearted, watchful foster-parents, or impresses it with the majesty of the law in order to discipline it. The whole idea is to keep the dependent child from becoming a delinquent, and, when it grows older, a criminal. Dependency is the first step on the road to crime. Truancy is the second. This implies a compulsory education law, without which child-saving work cannot be effectively accomplished. A dependent child is bound, sooner or later, to be a truant; and as surely as night follows day, the truant will eventually become a delinquent—a criminal.

When a child does not have a home, or, much worse still, has a bad one, the State, in the role of *Parents Patriae*, ought to assume its care and development. Society brings into existence conditions that contaminate child-life—conditions which do not permit the little one to have the opportunity to form the right kind of character—therefore society is in duty bound to provide conditions which will not only counteract and neutralize the effects of unhealthy tendencies, but also

## THE FOUNDATION OF THE CHILDREN'S COURT

provide agencies that will re-form the character of those boys and girls who have unfortunately been inoculated with the virus of immorality and have gone under. In cases such as these, the State, according to Judge Ben B. Lindsay, ought to possess the clear vision to see that :

" The child is not to be re-formed, but to be formed ; that it has every advantage, while character is plastic, in the golden period of adolescence, to redeem a possible offender of the future to good citizenship before he has really become an offender at all. This should be accomplished as a wise and loving parent would accomplish it, not with leniency on the one hand or brutality on the other; but with charity, patience, interest, and what is most important of all, a firmness that commands respect, love and obedience, and does not produce hate or ill-will. To correct the child, we must often begin by correcting the parent improving the environment in which the child lives, and adding, as far as possible, good opportunities to its life. If the parent is careless and negligent, punishment is rather for the parent than for the child. If the parent is helpless, or if the environment is such as to seriously hamper the honest effort of the parent, as is often the case, or if the natural instincts of childhood for fun, play and adventure are stifled, for instance by city ordinances, necessary for the protection of others in large cities, with the consequence of a sure violation thereof, and an unintentional disregard for the rights of others rather than from viciousness or criminality, then the state comes to the aid of the parent and the child.



## CHAPTER III

### THE MACHINERY OF THE CHILDREN'S COURT IN MOTION

The Juvenile Court is no longer an experiment. It is an institution that has been doubted, reviled and tested. It has stood the doubts, revilings, and tests, and has emerged from the experimental stage as an institution of proven merit and beneficence, an institution that has come to stay, for the betterment of our race.

The Juvenile Court at Denver, Colorado, presided over by Judge Ben B. Lindsay, is conceded by all fair-minded critics to be the best of its kind. Judge Lindsay, is a man who loves children, not in the way of a foolish parent, who does not resist the temptation of giving candy to his child, and sickens him with a surfeit of sweets ; but in a sensible, saving manner—a man who has sympathy, patience and intelligence to look into the troubles of the boy or girl, analyse the situation keenly and honestly, and arrive at the *causa causans*—a man who does not inspire the youth with a dread of the law, but instills in him a love of right living, of a "square deal"—a man who will fight to a finish the agencies that tend toward contaminating and

## THE MACHINERY OF THE CHILDREN'S COURT

degenerating the rising generation. These leading traits of Judge Lindsay's character have made his Juvenile Court the model children's tribunal in the United States—in the world. A peep into the work of Judge Lindsay's Court will give a good idea of the machinery of the Juvenile Court in motion.

The city of Denver, Colorado, where Judge Lindsay's Court is located, has a population of nearly 150,000 inhabitants. The Court has now been in operation a little over nine years. The latest years for which statistics are available for the Juvenile Court of Denver are 1904-1905. A glance at some of the important tables of statistics gives a wonderful insight into the work of the Denver Children's Court.

### *Complaints Against Children.*

		1904	1905
No. of complaints heard in office	...	864	1,181

### *Cases Settled Out of Court.*

		1904	1905
No. of cases settled by probation officers without any legal procedure	...	558	354

### *Number of Children Brought Into Court.*

			1904	1905
Delinquent boys	...	...	603	376
Delinquent girls	...	...	33	46
Total	...	...	636	422

# MAKING BAD CHILDREN GOOD

## *Forms of Delinquency Charged Against Juveniles.*

	1904		1905	
	Boys	Girls	Boys	Girls
Truancy (*)	88	8	60	15
Larceny	154	10	155	7
Incorrigibility	12	11	8	11
Malicious Mischief	284	0	64	0
Immorality	2	4	9	6
Disorderly Conduct	33	0	40	7
Loitering	13	0	22	0
Burglary	2	0	10	0
Cruelty to Animals	15	0	0	0
Frequenting Saloons	0	0	1	0
Forgery	0	0	1	0
Gambling	0	0	6	0
Total	603	33	376	46

## *Commitments to State Industrial School For Boys.*

Age...	8	9	10	11	12	13	14	15	16	Total
1904										
Truancy	1	...	...	1	9	3	...	2	...	16
Larceny	...	...	1	3	5	...	5	2	2	18
1905										
Truancy	...	...	...	1	1	1	4	3	1	11
Larceny	...	...	...	1	1	2	1	1	4	14
Incorrigibility	...	...	...	1	...	...	1	1	...	3

(\*) Many of the commitments have been made under the head of truancy, as the form of delinquency; although in most of such cases there were other forms of delinquency of a more serious character, and to protect the record of the child the charge has been truancy rather than some other form of delinquency. No child is charged with crime, but a record is kept of the form of delinquency.

# THE MACHINERY OF THE CHILDREN'S COURT

## *Commitments to State Industrial School For Girls.*

Age	...	...	...	13	15	16	Total
1904							
Incorrigibility	...	...	...	1	1	2	4
1905							
Incorrigibility	...	...	...	...	...	1	1
				—	—	—	—
Total	...	...	...	1	1	3	5

## *Probationers Who Report.*

				Dec. 31	Dec. 31
				1904	1905
No. of probationers reporting to court :					
School boys	...	...	...	140	111
School girls	...	...	...	2	7
Working boys	...	...	...	47	49
Working girls	...	...	...	1	...
				—	—
Total	...	...	...	190	167

## *Parents of Delinquents.*

Normal	...	...	...	568
Father dead	...	...	...	187
Mother dead	...	...	...	103
Both parents dead	...	...	...	45
Parents separated	...	...	...	155
				—
Total	...	...	...	1,058

# MAKING BAD CHILDREN GOOD

## *Number of Children Held At The Detention School And Forms of Delinquency Charged.*

From Dec. 12 '03 to end

				of 1904		1905	
				Boys	Girls	Boys	Girls
Truancy	...	...	105	1	91	...	...
Larceny	...	...	111	1	168	2	...
Malicious Mischief	...	...	30	...	50	...	...
Incorrigibility	...	...	10	10	5	12	...
Shooting craps (*)	...	...	7	...	6	...	...
Jumping on Cars	...	...	83	...	5	...	...
Runaways	...	...	35	...	17	1	...
General delinquency	...	...	100	...	62	...	...
Dependent	...	...	50	17	89	28	...
Total	...	...	531	29	493	48	...

## *Average Length of Detention of Inmates at The Detention School.*

				1904	1905
Boys	...	...	...	11 days	10 days
Girls	...	...	...	9 days	8 days

## *Forms of Delinquency Charged In Cases Against Defectives.*

Incorrigible	...	...	...	...	21
Larceny	...	...	...	...	17
Truancy	...	...	...	...	7
Immorality	...	...	...	...	6
Runaways	...	...	...	...	2
Bad Conduct in School	...	...	...	...	1
Forgery	...	...	...	...	2

(\*) Craps is a gambling game played with dice.

# THE MACHINERY OF THE CHILDREN'S COURT

Malicious mischief...	...	...	...	1
Assault ...	...	...	...	1
Drunkenness ...	...	...	...	1
				<hr/>
			Total ...	59

## *Sex of Delinquents Found to be Defective.*

Boys ...	...	...	...	51
Girls ...	...	...	...	8
				<hr/>
			Total ...	59

## *Family History of Imbecilic Delinquents.*

Negative ...	...	...	...	13
Tubercular ...	...	...	...	4
Insanity ...	...	...	...	4
Asthma ...	...	...	...	1
Cerebral Hemorrhage ...	...	...	...	1
				<hr/>
			Total ...	23

The work of the Denver Juvenile Court, though very heavy, as the above quoted statistics show, is done by a limited machinery. The personnel of the Court consists of the Judge, Clerk of the Court, Chief Probation Officer, one man and one woman probation officer, Superintendent of the Detention School and his assistant, who is his wife, Deputy District Attorney, a special police officer and his deputy. The Judge is not only the Juvenile Court Judge but is also the Judge of the County Court. The probation officers are paid officials. The Chief Probation officer receives Rs. 4,500 a year and has an allowance of Rs. 3,300 a year as an

## MAKING BAD CHILDREN GOOD

expense account, to be paid out under the direction of the Court. The two other probation officers are paid Rs. 3,600 per annum each. Provision is made for the appointment of probation officers by the Juvenile Judge, subject to the approval of the State Board of Charities and Corrections, which is composed of two women and five men, experienced in philanthropic work.

When it is considered that the work of the Juvenile Court is an active agency against crime amongst men and women as well as little folks and therefore an effective check on the nation's incurring expense on account of building and maintaining jails and criminal courts, it will readily be seen that the small expense incurred by the Children's Court is not only justifiable, but at heart is an economy. In fact, Judge Lindsay has proved, by a comparative table showing the cost of caring for children in the old and new ways, that in 18 months the Juvenile Court actually saved the State and Country Rs. 2,66,483.

Not only is the machinery of the Juvenile Court inexpensive and exceedingly simple ; but it also works with smoothness and without break-downs. Complaints or petitions declaring any child to be delinquent and briefly stating the cause of the delinquency may be filed in the County Courts of the several counties of the State, by the District Attorneys of the various counties as well as by probation officers appointed by the Court. In Denver all complaints and petitions are filed by probation officers who are vested with all the powers and authority of sheriffs to make arrests, etc. In some

## THE MACHINERY OF THE CHILDREN'S COURT

States citizens are permitted to file complaints ; but the Denver method has been proved by practice to be the best. Citizens are likely to indiscriminately file petitions and complaints for petty grievances against the child, which do not merit the dignity of court proceedings. In Denver the probation officers thoroughly investigate a case before the petition or complaint is filed, and often settle it out of court, thus saving expense to the County and humiliation to the child and its parents.

The powers of the Denver Juvenile Court have never been abused. Only two cases out of the two thousand against children and parents that came before the court during the first three years, employed lawyers to defend them, and no one has ever complained about the disposition of a case although several hundred adults have been fined or sent to jail and a large number of children committed to institutions. Exceptional cases sometimes crop up-cases of depravity and extreme viciousness among the young, which demand sternness rather than kindness. For the trial of such a case the state reserves the right, by one section of the Juvenile Court Law, to consider any one of them under sixteen years of age, a proper subject for the criminal law ; but so far the Denver Juvenile Court has not been obliged to make use of this proviso in a single case. A separate law deals with the parents and other adults who contribute to the delinquency of the child offender ; but these adult cases are tried by the same Judge, in the same Court and on the same day as the children's cases. In this way there is concentrated in one



court, under one jurisdiction, under the surveillance of the same set of officers, every case of a dependent or delinquent child as well as of those responsible for its dependency or delinquency. The Compulsory Education Law and the Child Labor Law, both separate from the Juvenile Court Law, are also enforced in the Children's Court, by the same Judge. In order to avoid constitutional difficulties and attacks upon the Act, the Juvenile Court Law provides for a trial by jury in case it is demanded, and also extends the right to counsel. Annual reports to the State Board of Charities and corrections are required, containing detailed information of the workings of the Juvenile Court. The names and identity of the parents and children brought to the Juvenile Court are prohibited by law from being revealed in the annual reports. Similarly, the Judge of the Juvenile Court has prevailed upon the local newspapers not to publish the names of girl offenders who have been brought to Court. This practice would injure their reputations in after life, and every effort is made by the Court to keep any taint from attaching to the child's name on account of being brought before it.

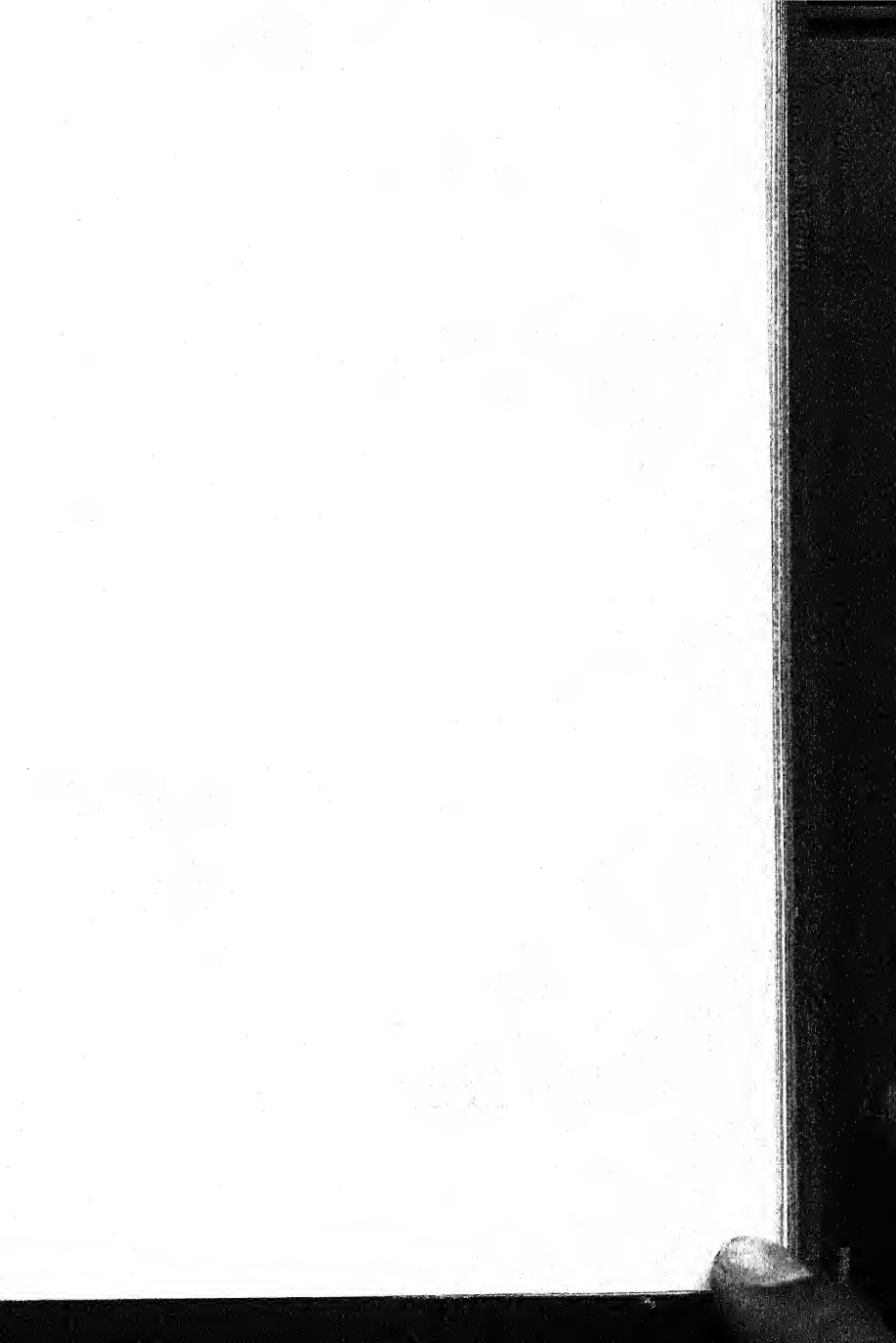
Having outlined the preliminaries, now the administrative work of the Court will be discussed. The child is brought to the Juvenile Court session in obedience to a summons issued by the Court, based upon a complaint or petition filed by a probation officer, who has carefully investigated the case and decided that it is worthy of the court's attention. Once in

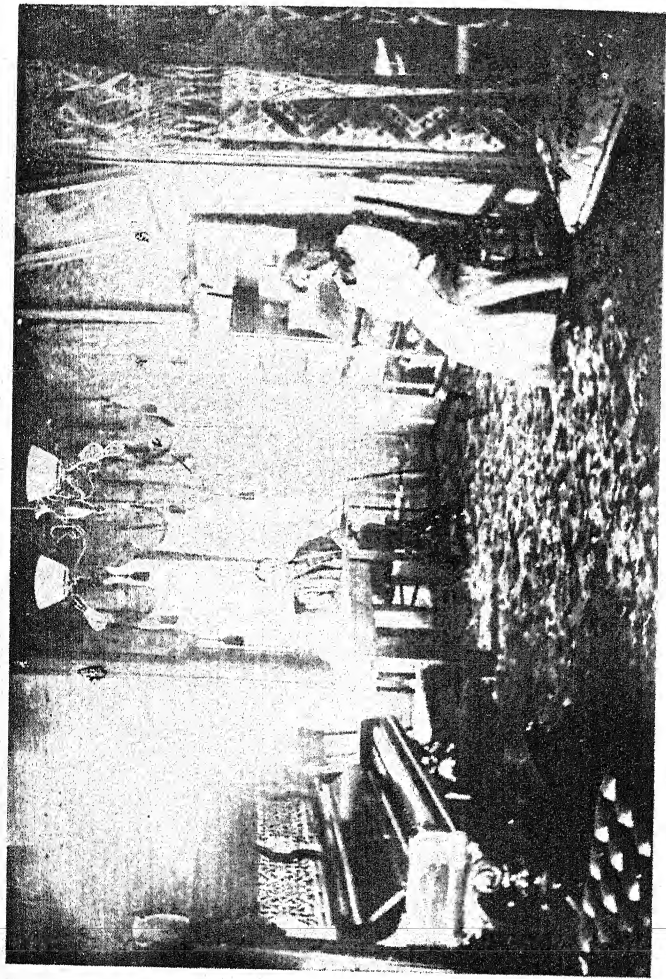
## THE MACHINERY OF THE CHILDREN'S COURT

Court, the Judge listens to the report of the probation officer, the testimony of the parents and aggrieved party or parties, and everyone who is likely to be acquainted with the facts in the case. Then he takes the child into his chambers and talks to him in a fatherly, kind fashion, seeking to get from him the truth about the affair. In every move he makes, the judge is actuated by just one motive—to discover the true cause of the delinquency and remove it. Sometimes the case is hard to trace but almost invariably it goes back to some adult influence. For instance, a young messenger boy was brought before Judge Lindsay for overcharging for delivering messages, and appropriating the amount of the over-charge to his own use. After careful sifting, the whole trouble was traced back to a certain day when, answering a call, the lad was sent to a drink shop by a man to purchase a bottle of wine and deliver it to a woman inmate of a house of ill-fame. Upon delivering it, the woman coaxed him to take a drink. He never before had tasted liquor, but she made him feel that it would be a manly thing for him to drink. He liked the taste of the wine so well that he began to over-charge and pilfer money to buy surreptitious drinks. The Judge took him in hand to teach him how to live the life worth while, and extorted from the manager of the messenger service a promise never again to send boys to liquor shops or houses of ill-fame. The lad was forgiven, placed on his honor, and taken back to work,

with the result that he never again was guilty of an offense against society.

The children who come before Judge Lindsay are invariably placed on probation (that is to say, on their good behaviour) and given a chance to be good at home, before being sent to a reformatory institution. A close watch is kept upon their doings by means of a record system. Most of the boys and girls who come under the jurisdiction of the Juvenile Court attend school. These youngsters are made to bring, every other week, a report from their teachers setting forth their actions as "good," "fair," and "poor," and suggesting the cause of the report being what it is. Unknown to the children, the school principals and teachers have been notified of the fact that they are special wards of the Court. Every Monday a full list of boys and girls on probation is sent to the principals of the schools which they attend, along with an outline of the causes that led the child to the Court. With these to guide them, the teachers pay special attention to these little ones, seeking to uplift them and help them to be good. If a child on probation fails to attend school without excuse for 24 hours, the principal immediately telephones the headquarters of the Juvenile Court and a probation officer is detailed to look up the truant and report upon the case. Some few of the children work for their living, and do not attend school. These are made to bring reports of behaviour from their employers. So perfectly does the record system keep the Court in touch with the children, that in very few cases is visit-





#### **PARLOUR OF THE DETENTION SCHOOL**

In no sense of the word a Jail. Even the title of the so called "Reformatory" does not fit it. The Juveniles are not under constant surveillance, or penned up. They read and write and learn during school hours and play and romp during certain parts of the day. In all essentials, the school is a home, a good, uplifting, typical home.

## THE MACHINERY OF THE CHILDREN'S COURT

ation of the homes by probation officers necessary in order to make the bad child good.

Every other Friday and Saturday the reports are presented to the Court by the little folks. The girls bring theirs on Friday and the boys on Saturday. The Saturday Juvenile Court days are of special interest. At these sessions, the Judge does most of his work of personally influencing the children to be good. The tables and benches are removed for this occasion, and the boys sit on long rows of chairs which stretch across the room and make the Court look more like a school or a place of amusement than a tribunal of justice. The Judge comes down from the bench and mingles with the boys, and discusses with them their child-troubles. He reads the reports and comments on them. If the report is "fair" or "poor," he does not scold or punish the child, but expresses sorrow at learning that his confidence has been misplaced. He tells the boy that he wants to "stick with him" and help him, but if he will not help himself, a trip to the Industrial School at Golden will be necessary, not as a punishment, but because the boy is too weak to learn to be good unless he is placed in an institution where he will be forced to be good until it becomes a habit with him. Sometimes a sort of moral physic is administered by sending the boy to the Detention Home over Sunday, instead of allowing him to go home. The Detention Home is provided in place of the Jail, and the one at Denver has proved to be an eminent success. During the period the children are detained there, they

## MAKING BAD CHILDREN GOOD

are engaged in healthy occupations. The Home is more of a training school than a mere place of detention. The child goes on with his studies just as if he were at school. Thus he does not lose time or lag in his studies. Sending him to the Detention Home and thus separating him from his parents for two or three nights is usually a most effective way of bringing the boy to his senses by giving him a foretaste of what will follow if he does not gather himself together and try to be good. If the child has been given chance after chance to reform and has failed to take advantage of them, the Judge sends him to the Industrial School at Golden. But even in this, he attempts to rouse a spirit of manliness in the punished child by relying on his honor and sending him alone instead of in the custody of a policeman. He explains to the youth why it is best for him and for society that he should go to the Industrial School for a little while, tells him that he has implicit confidence in him and will not humiliate him by placing him in charge of a policeman, gives him the paper committing him to the place of detention and the money to pay his fare there, and sends the boy alone, to report at the School. He approaches his boyish charge with :

"Come, Jim, you were out on good behaviour. Let me see, I let you off twice, didn't I ? "

"Yes, Judge."

"I was good to you, wasn't I ?"

"Yes, sir Judge, yer Honor."

"I gave you your chance, Jim, didn't I ? And don't you think now—come, honest! Don't you think that you

## THE MACHINERY OF THE CHILDREN'S COURT

ought to go to the Industrial School at Golden ? Come, be honest !”

“ Yes, sir.”

“ Golden is the place for you, Jim. You are too weak ; you can't keep out of bad company ; it 's your ruin. Aint it so ?”

“ Yes, Jedge.”

“ De gang's got you, Jim, an' its a bad bunch to train with. When you come out of Golden, you' ll be a new boy. I'm going to ask you to go to Golden on your honor, just to please me, Jim.”

“ Yes, Jedge.”

“ And here are your papers. Now, listen. If you want to run away, Jim, and throw away the papers, all right ; but if you want to please me, you'll go yourself, alone, and report to the keeper at the Industrial School. Will you go ? ,’

“ Yes, Jedge.”

“ Take the car at the corner, Court House Square, and change at Mining Exchange—the electric connects with the steam train in the bottoms—and so to the Industrial School. Will you go ?”

“ Yes, Jedge.”

“ Alone ?”

“ Yes, Jedge.”

“ Well, shake on it. There ! Good by, Jim, and when you get to Golden, write me a letter that you have arrived. Shake, Jim.”

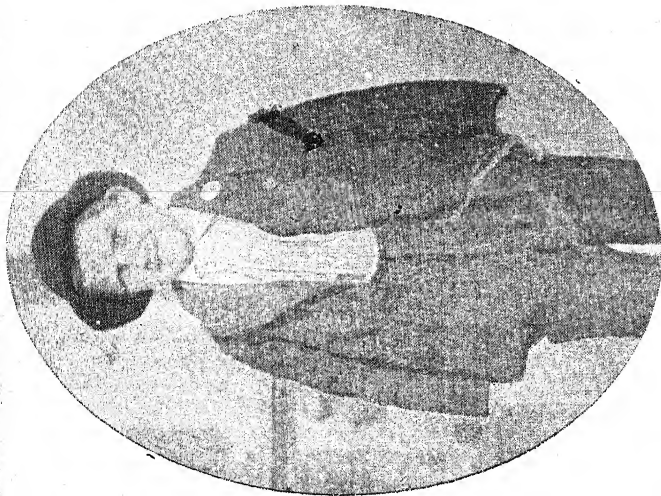
The boy shakes hands with the Judge and reports himself, unattended, at the Industrial School, where he



## MAKING BAD CHILDREN GOOD

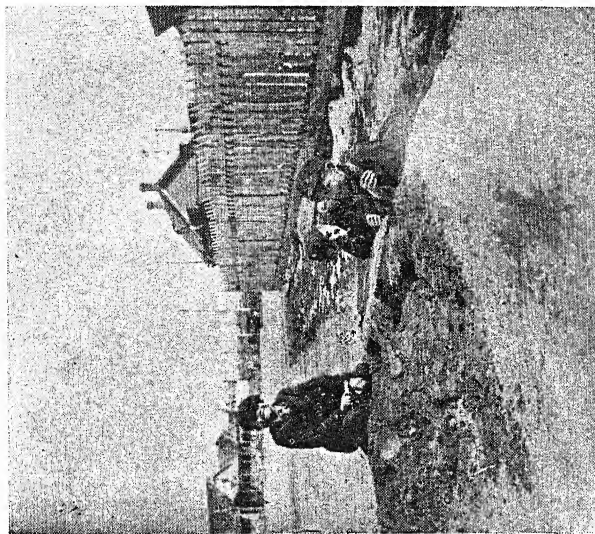
is kept away from temptation and his mind is occupied in learning some occupation.

The first time Judge Lindsay sent a bad boy to Golden, alone without the protection of a guard, he has admitted, himself, that he trembled as to the outcome. Every one connected with his Court, and the newspaper reporters present, thought he had gone mad. The boy he was dealing with was considered one of the most desperately bad boys in Denver. Judge Lindsay had made every effort to save him, but so far, nothing had availed, and he found it necessary to send him to Golden, a suburb of Denver, Colorado, where the Industrial School connected with the Juvenile Court of Denver, is situated. The happy thought occurred to him to put the boy on his honor, and let him make the trip alone, without sending an officer along to guard him as if he was a criminal. He hoped by this means to stir the latent manhood in the lad and bring out the best in him. In fear and trembling he awaited word from the Industrial School as to whether the boy reported there or not—everyone said that he would run away and steal the money given him by the Judge to pay his fare to the School. To every one's surprise and to the great relief of Judge Lindsay, the youngster, proud of the trust that had been placed in him, reported at the School with his papers, and served out his time. Since then Judge Lindsay has adopted this plan exclusively, and out of the hundreds of boys he has sent to Golden without police guard, not one has proved untrue to the trust the Judge has reposed in him.



**THE FIRST BOY SENT TO THE  
DETENTION SCHOOL**

He was not hand cuffed nor did he go to the State Institution under Police Guard. Unattended he went to the Detention House, carrying in hand his own warrant, and in his pocket the money to pay street car fare.



**PLOTTING MISCHIEF**

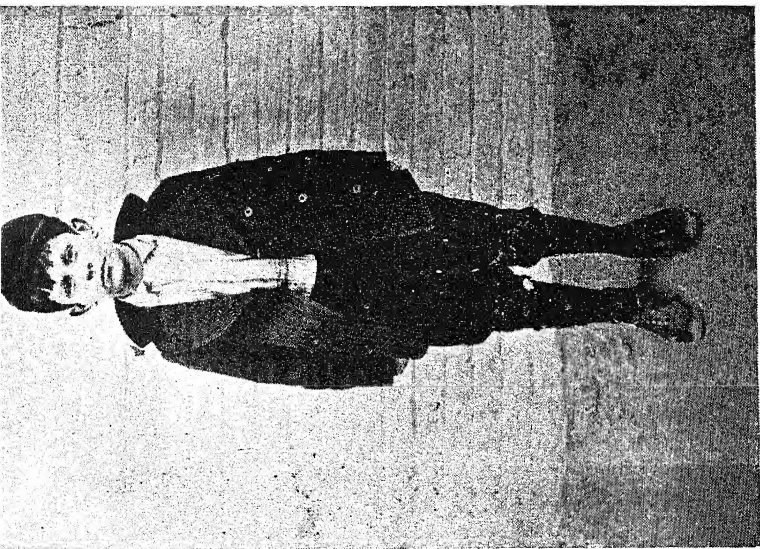


## THE MACHINERY OF THE CHILDREN'S COURT

In the Saturday sessions the Judge, Lindsay delivers a short speech, using boy terms, and never talking above the heads of his audience. He explains, in simple English the meaning of the law, and makes them understand the relations between the individual and society. He explains the necessity for laws, law administrators and officers, and impresses upon them the fact that the law is their friend, and not their enemy—that the Judge is there for their benefit, not for their punishment—and that they ought to respect and co-operate, with the Court instead of working against it. Lads who work all day bring their reports to the Judge at night, and he has heart to heart talks with them, encouraging them to be good. If the report is good, the Judge tells all the other boys about it. He says Johnnie is a "bully fellow", "one of the squarest kids that ever lived". He expresses his joy and satisfaction by a pat on the head, a shake of the hand. The lad's face is wreathed in smiles, and the other boys beam with delight. During school vacations, "report days" are held once a month and the boys give their own reports verbally. The Judge always takes their word for it and inspires them to be truthful. Thus he stimulates their pride and makes them anxious to be good in order to win his approval. Judge Lindsay impresses the boys with the fact that he is their best friend and that he considers their interests paramount to everything else in the world. This was shown in a little incident that once occurred in his Court. One day during a busy civil session of the Court, while Judge Lindsay in the capacity of County Judge

was trying a will case involving many lakhs of rupees, the court room door opened. A boy who had been before the Juvenile Court Judge and who had become convinced that the man on the bench was his friend and wanted to help him, poked his tousled head and freckled face into the court room. The bailiff "shooed" him out, but he returned, not with any thought of disobedience, but because he had learned his rights there. The Judge ordered a recess of three minutes, to the disgust of one or two of the distinguished counsel and the boy came to the bench, unafraid now where he was crying with fear the first time when he was brought there three months before.

"What can I do for you, Morris," asked the Judge of the childish petitioner pleading his own cause. The boy explained that a new policeman had been appointed to the beat where he was in the habit of selling papers, who would not permit him to ply his trade, and thereby he was losing Rs. 1/8 a day. "If you will give me an injunction agin dat cop, Judge," said the boy, "I will get my rights." The kindly clerk, catching the spirit of the thing, handed the Judge a blank injunction writ, in the body of which he wrote a note to the police constable. He told him that Morris was a good boy and brought splendid reports from his teacher, and that he was his friend. He explained to the boy the duties of an officer, and how he represented the law, and must be respected. With the writ in a sealed envelope, the lad went away rejoicing. In a week he came again with the usual excellent report

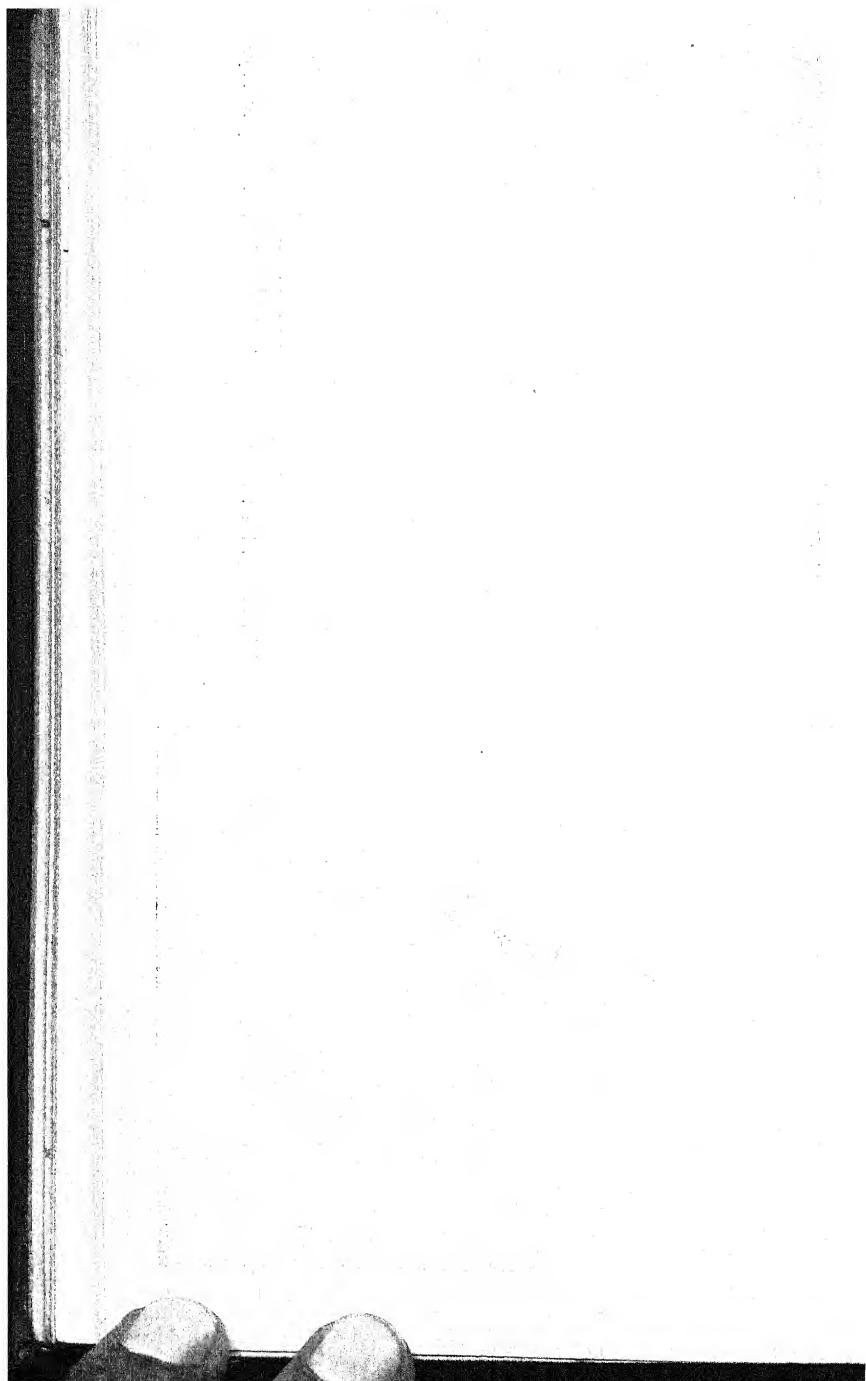


**TYPICAL NEWSPAPER BOY**



**"I'AM DE BOSS, SEE"**

The boy on the right hand is a typical leader of a gang of boys



## THE MACHINERY OF THE CHILDREN'S COURT

and the Judge said: "Well, Morris, how did the injunction work?" "Oh," said the lad, "I tell yer, Judge, it worked fine, it did. He liked to have dropped dead when he read it. Say, Judge, he is trying to be my friend now; he wants to get on the good side of me. He thinks I've got a pull (influence) wid de Court."

His whole-hearted sympathy with children has made Judge Lindsay the friend of every boy and girl in and around Denver. Children go to him with their troubles, as they would to their fathers and mothers in whom they reposed their trust. Numbers of little ones voluntarily come to the Juvenile Court and ask Judge Lindsay to help them to be good. The Judge relates one pathetic instance:

"One day at the close of a busy session of the Civil Court, I noticed a little fellow sitting back in the court room all alone. I called him up to the bench. I had never seen him before. With tears in his eyes, the lad told me that he was 10 years old, that his father had deserted his mother and that his mother had gone away and left him; that he was living with a good lady and that he had been stealing things for a long time, and some of the kids had told him if he kept it up, the policeman would get him and he had better come and tell me all about it, and I would get him out of trouble and help him to be good."

In order to accomplish the best results among some of the delinquent boys, the Court has provided a fund for their relief. When children come to Court poorly clad and shod, they are warmly clothed out of the



## MAKING BAD CHILDREN GOOD

relief fund which has been raised for that purpose by charitably inclined people. As an example of the good effects of this relief work, a single instance may be cited. Judge Lindsay tells the story:

"I remember coming into Denver one cold morning when a poorly shod little boy came up to the passengers through the depot to carry their baggage. I stopped the boy and asked him if he did not know he would get into the Juvenile Court for being out of school. He said he was too sharp for the Juvenile Court, and that Judge Lindsay could never catch him. He insisted that he had a right to carry baggage if he could make some money, as he needed it to help his mother. I took the boy with me to the court house, against his cries and protestations. He was shod and decently clad, placed upon probation, and through the assistance rendered the home and the boy, he has become one of our warmest supporters and one of the best boys in the Court."

One Christmas, through the donations of the merchants of Denver, and many friends of the Court, an elaborate Christmas entertainment was planned for the boys in the Juvenile Court room. Every boy on the probation list who desired to come was invited to be there. The Christmas presents consisted of good things in the way of fruits, nuts, games and books, and every boy was given Rs.1/8 in money. Their behaviour was commented on by a number of persons as being even better than that of children at some of the Sunday School Christmas trees among the children of the financi-

## THE MACHINERY OF THE CHILDREN'S COURT

ally well-to-do. Judge Lindsay suggests that it would be better to pension the mothers of homes where poverty reigns supreme rather than put into State institutions, the children they are unable to care for because of the hard tasks our system of society and crimes of men force upon them.

When the reports of the children on probation are persistently "poor", Judge Lindsay turns them over to a physician for examination. Perhaps it turns out that their eyes are poor or their vision defective, and for this reason they have not been able to keep up with normal children in their studies, and so have gained the name of being "bad" and "stupid". One little chap had been recommended for the Industrial School because he was rebellious. He had been suspended from school and was constantly upon the street, drifting from idleness to crime. Judge Lindsay talked with him for a few hours one afternoon, and sent him to the doctor to find out what made him so "strange and peculiar." The medical man discovered that the boy had had fits when he was seven years old, and the nervous trouble returned in a different form at twelve, making him peevish and rebellious. The boy was placed under treatment, and at the end of eight months his teacher wrote to the Judge saying that the erstwhile incorrigible lad now was the best boy in school.

Baths and good literature are employed as reformatory agents in the work of the Court. A bath room about 20 feet square has been installed in the basement of the Court House adjoining the boiler room.

## MAKING BAD CHILDREN GOOD

Long pipes are attached to the ceiling and extend from one end of the room to the other. In the middle is a cement pool. Boys who have no such facilities at home are encouraged to stand under the pipes and get a "rain bath," as they call it, and on every Juvenile Court day from fifty to one hundred boys take shower baths.

High grade juvenile magazines are distributed among the boys each month, and the youngsters prefer them to the trashy dime novels they have been in the habit of reading.

Once in a while Judge Lindsay holds a "snitching bee"(to "snitch" is to confess) in his chambers, where he attempts to have the boys make a clean breast of their mischievous doings. These "snitching bees" often result in bringing in a large number of cases into Court, that were not dreamed of in the beginning. The boys are encouraged to tell on themselves, but tattling about the other boys of "the gang" is frowned upon. For instance, two boys were once brought to Judge Lindsay's chambers by the officer who had apprehended them for stealing small trinkets from stores. They became interested in clearing up the matter, confessed all their misdemeanours, and volunteered the information that they knew lots of other boys who were doing the same thing. They did not tell the names of the boys, but went back to school and the next day returned to the Court with sixteen more lads. These boys attended school in a respectable neighbourhood. They turned over to the Judge Rs. 60 to 90 worth of stolen goods,

## THE MACHINERY OF THE CHILDREN'S COURT

for the most part marbles and leather bags in which they carried the marbles. The Judge was desirous of discovering the causes of the delinquency in these youths, and, as every one of them was anxious to tell all about his misdemeanours, this was an easy task. Every boy who had ever been in a saloon or had bought cigarettes, told about it, and the Judge learned who had sent them to the drink shops, and who had furnished them with liquor or tobacco. As a result several mothers and fathers were brought into Court; and the case which started with two little culprits jumped to twenty-two men, women and children. Every one of those boys gave up their bad habits and corrected their faults, under the influence and direction of the Juvenile Court, and not one of them was ever committed to an industrial school or reformatory. In another case, the party caught numbered four, and these were instrumental in bringing to Court forty-four others; while in another case six or seven culprits jumped to fifty-two others. In not one of these cases in which the boy offenders actively assisted the Court, was there ever a subsequent complaint against the lads because of a repetition of the offence.

Probably the most important work of Judge Lindsay's Court has resulted from the enforcement of the Contributory Delinquent Act. As the result of prosecutions under this Act, some of the most notorious dive keepers in Denver have actually served time in jail from thirty to ninety days, in addition to paying heavy fines in many cases. Parents have been

## MAKING BAD CHILDREN GOOD

called to account for their children going wrong, and many of them have been fined, while in aggravated cases fathers have been sent to jail. Men have served time in prison for permitting a boy to enter a drink shop, for sending him to that vile place, and for selling him tobacco, fire arms and immoral literature. In one case a father was fined for "swearing" in the presence of his children. Young rowdies—young men who have no respect for womanhood—have been sentenced to jail for contributing to a girl's delinquency by taking her to a wine room. So effective has been the work of the Juvenile Court in holding adults responsible for Juvenile delinquencies that several low drink shops have been forced out of business because of the personal work of the Court against them. The law-breakers have been given to understand that they will have to pay the penalty if they persist in leading little folks astray. Judge Lindsay relates :

"Recently a little fellow of 12 came to me and joyously said: 'Judge, old Mr. \* \* \* that runs the drug store on our corner, sells cigarettes and Johnny B. went in there to get some and old Mr. \* \* \* got furious and said, 'You little rascal, get out of here just as quick as you can. How do I know that some of those kids out there don't belong to that Juvenile Court, and they will have me hauled up there to pay three hundred rupees for selling you two and a half annas worth of tobacco. Get out of here and don't you ever come back again. Old Mr. \* \* \* 's discretion was as wise as his fears were well founded.'"

## THE MACHINERY OF THE CHILDREN'S COURT

The success of the Juvenile Court is mainly attributable to the fact that, while the Judge is considerate of the feelings of the child, and is kind to him in every particular, at the same time he looks after the best interests of the little one and protects it from ruin. Thus kindness and discipline go hand in hand. There is none of the hard-headed justice which more or less smacks of the give and take of commercialism. On the one hand the judge is not trying the young offender as society's delegate, who is to determine his punishment for having wronged society; on the other hand the Judge has enough ballast of character, acumen and integrity, to subject the juvenile to wholesome discipline for his own good. The discipline to which the boy is subjected, supplemented by his awakened desire to uplift himself, which is roused by the efforts of the Juvenile Court, works for the reformation of the youngster and makes the institution of the Children's Court an unqualified success.

From the foregoing, it will readily be seen that the Juvenile Court really ought to be regarded in the light of a hospital rather than a tribunal. Criminal tendencies are overcome and starved out for lack of expression. Many children are charitably provided for. Weaklings are given crutches until their own moral backbones are strong enough to keep them erect and firm in the right. The cases are diagnosed and remedies are applied calculated to overcome the abnormalities. And the chief cog in the machinery of this hospital for deformed character is the Judge, always watchful to help, his

## MAKING BAD CHILDREN GOOD

finger ever on the pulse of child-life, kind even when stern, administering punishment as he would a bitter medicine, to purge the little one of bad conditions, applying soothing poultices or counter-irritation, as indicated—a father to the fatherless, a protector of youth, a veritable lion in the path that leads to criminality, scaring back those who set foot therein, the youngster's best friend, whose chief business in life it is to make the bad child good.

## CHAPTER IV

### HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

The Juvenile Court Judge may be a paragon of shrewdness, tact and sagacity ; the law may be the most modern, compassionate and wise ; but without a well-conducted reform school, where the wilder species of youths can be sent by the Juvenile Court to be tamed down and re-moulded into desirable citizens, the juvenile-saving propaganda cannot be a signal success. In the last analysis, upon the reformatory—that is to say, the factory where the character of the youthful delinquent is re-fashioned—hinges the most important part of the success of society's effort to make the bad boy or girl good. An account of the workings of a model reform school will therefore be found instructive.

The institution to which the reader is about to be introduced is not called a reform school. Such a name would be offensive. There is something in human nature that resents the holier-than-thou attitude. When you set yourself on a pedestal and commence to preach "down" to the congregation—your attitude strongly displaying lofty compassion for the "crowd", the congregation is likely



to pay more heed to its wounded feelings and less attention to your sermon. All reformers have been at one with the people they have sought to regenerate—mingled with them freely. The secret of their success has invariably been that the lowliest of the lowly felt at home with them. It is a good thing, therefore, that the reform school is not known as the reform school—but merely as the “Industrial” School. Probably a more appropriate name for the institution would be a “Training” School. An industrial school fundamentally implies a place where industries are taught. A training school concerns itself with training the various faculties of the pupils and since the school in question concerns itself with training the brain and brawn and heart of the boy, so that, with educated capacities, he may be able to get the most out of life and give the most to society, the institution may be fittingly called by this name. I understand that in various parts of the United States such institutions go under this title.

Sane treatment of the delinquent juvenile rests on the foundation principle that his self-respect shall not be wounded; but it ought to be strengthened and *educated*. The basis of this principle is easily understood. You cannot consign a youth to the penitentiary, keep him there for a term of weeks, months or years, and still expect that he will respect himself, or that he will not grow embittered against society. For this reason, your reform school not only should not go under the name of a reformatory (whose meaning in our day has degenerated to be a jail), but in addition, it should not

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

have the unfortunate concomitants of penitentiary (this word has also come to be synonymous with jail), that taint its inmate for life. The institution—the Iowa Industrial School—with which this paper is concerned—is built on this cornerstone. Nothing about the grounds, nothing in the school rooms, nothing in the work shops, nothing in the residential dormitories, will you find that is suggestive of the jail or dungeon. There are no bars about the place—absolutely none. A low fence encloses the grounds. This, I think, is more for ornamental purposes than for confining boys within the compound. Even the gateways are not locked nor guarded. They remain open during night and day. Steel or wood bars do not guard the windows. Not one handcuff can you ferret out of the buildings, no matter how hard you may try. Of blue-coated policemen, with batons and superior, better-than-thou airs, they have none on the premises. No instruments of torture are employed. They do not keep them in stock in the School. Never is a boy sentenced to solitary confinement—in fact, there is no confinement whatever. Never is a boy put on a bread and water diet.

This does not imply that the institution does not insist upon disciplining the derelict for his own good—no—such a procedure would be criminal, especially when you consider that the institution is meant to straighten warped timber. Condign punishment is given—but not with an instrument of torture. Caning—in the phraseology of the United States, “paddling”—is resorted to, only in extreme cases of insubordination,

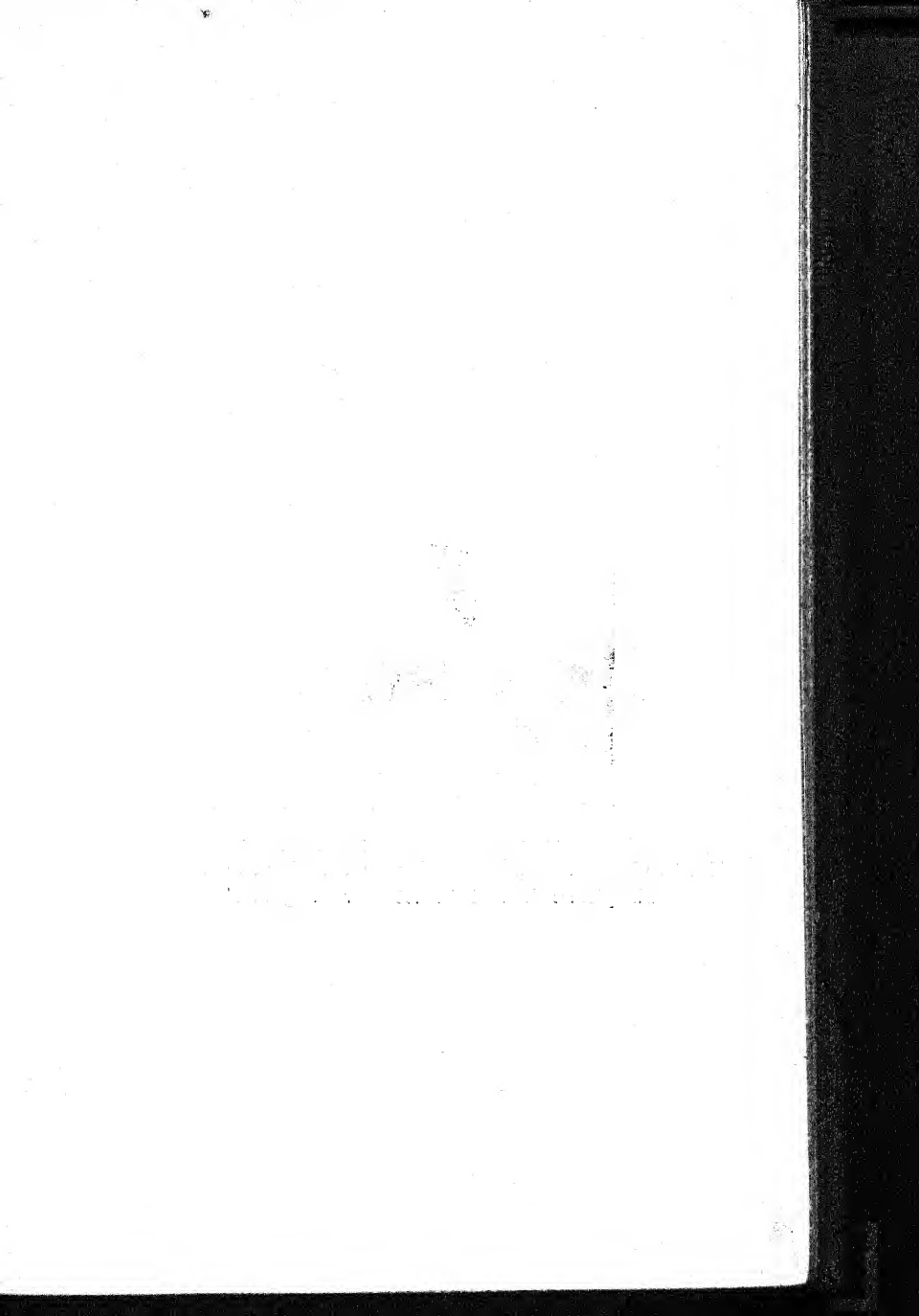
## MAKING BAD CHILDREN GOOD

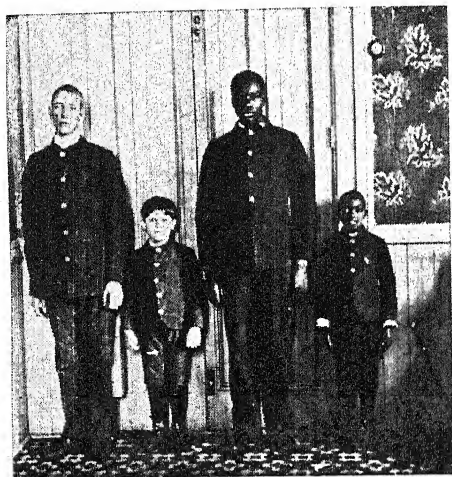
and, in no instance, without first obtaining a *written* permit from the head of the institution. The regulations in this particular are so iron-clad that they ensure that the teacher will not punish the boy merely because his temper is ruffled at something having gone wrong. It also means that the boy will not be hit unceremoniously, without regard being paid to where he is being struck whether his face is being mercilessly maimed or his ribs pitilessly punched.

At the School, at the time of this writing, there are 396 boys—many ages and statures are represented. The youngest one is 8 years old: the oldest within two months of 21. Both "White" and Negro boys are in the institution; the proportion of the two being about 10 "whites" to 1 "colored" boy. These lads come from all the stratas of society—rich and poor, genteel and otherwise. They represent numerous faiths.

But 52 people are entrusted with the care of these 396 boys, so varied in their parentage and sent to the institution for the correction of so many different delinquencies. A little less than half of the officers are men, the remainder are women.

I am setting down the precise number of officers and boys at the institution, and also calling attention to the fact that the charges of the School are a conglomerate herd, in order to make it possible for the reader to figure out for himself the amount of tact and care their management entails. In considering this, it must be borne in mind, as elsewhere stated that these boys are not kept locked up in cells, nor are they confined in





**TYPES OF COTTAGE RESIDENTS**

The two boys on the right are Negroes, the other two are white boys.  
The picture shows difference between ages and statures

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

any manner. There is not a cell or dungeon, on the premises. Omitting the fact that they have to behave themselves properly, they are as free as the air. The School is a little over a mile distant from the town of Eldora, Iowa: and the live-long day one sees the Industrial School boys riding on wagons, going to and from town, bringing coal, ice, or supplies. Sometimes many teams go in a line, and, in one of the wagons, rides an instructor from the School; but oft times the wagons go singly, and one or two boys are in charge of each team, absolutely unattended. The management of the School does not treat them as youths *without honor*. They are trusted—trusted, not foolishly and thoughtlessly, but wisely.

Don't the boys try to run away from the School? You will naturally inquire when you read these details of the absence from the institution of handcuffs, manacles, and spy vigilance. Yes, a few boys endeavour to run away but it does not take them long to find out that it is not in their interest to play the truant. At the Industrial School they relate many an incident of how Harry or John or Jim slipped away from the grounds while doing something about the place: how in a few hours or days, the boy came back to the institution, of his own accord and without an attendant: how he wept to expiate his misbehaviour, and told of the hardships he had suffered during his truancy. Some truants from the School do not come back of their own free will: they have to be brought back. In emergencies of this kind, the telephone does good service, and the farmers

## MAKING BAD CHILDREN GOOD

around the country are always glad to bring the lawless ones to the School and earn the reward of Rs. 15 that is paid them for such a service. Every boy belonging to the School wears a uniform—not jail stripes, but a gray suit of clothes patterned somewhat after a military uniform, of which I shall speak later—and when away from School, if he takes refuge in farm out-houses, or in the fields, he can be easily distinguished. For this reason, he cannot long play “hookey”. Let me however, guard my pen lest you may get the impression that numbers of boys run away from the school, taking every chance to do so that they can find. Just the reverse is the truth. Probably not twenty boys play truant in a year: and this percentage is extremely small when you take into consideration the fact that the school constantly has 400 boys or more under its care, and that not one of them would be there if he was a saint.

The reason why there is practically no truancy, despite the fact that these so-called bad boys are not in any way chained or barricaded, is simple to explain. The boys do not construe the kindness of the staff into weakness. There is a kindness that is negative in character. Such a kindness is inconsistent with disciplinary control. It is this brand of kindness which manufactures most of the bad boys. The boy at the Industrial School knows that this is not the sort of kindness which his instructors exhibit. They are kind, but firm—gentle, but disciplinary. The boy understands—is *made* to understand—that he is trusted to do the right thing

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

by the School—by himself. He also understands that the least deviation from rectitude will not be overlooked. He is expected to be good—and there is something in the way the teachers and officers expect this that invariably causes the young one to try to overcome temptation and makes him want to be real good.

This point can be enlarged upon a great deal ; but I will content myself with but one illustration : A very unruly boy was sent to the School. The Sheriff who brought him to the institution deposed that the boy had smashed two panes of glass in the railway carriage they rode in, in an attempt to escape. On his arrival, the boy was medically examined, his old clothes were taken away from him and burned, his hair was cropped short, he was given a hot shower bath and made to wear a brand new uniform—all these are routine details—they are performed in the case of every fresh inmate in order to avoid admitting vermin or contagious diseases. The boy was admitted into the corps (the youths in the School are divided into various corps according to their age and size, of this hereafter), to which he should properly be consigned. The officer of this corps noticed that on the first day, whenever the boys of his company would march in a file, the newcomer would throw himself on the ground. All that was done to him was to lift him up each time he would throw himself down. No punishment was administered to him, nor were any imprecations uttered. In two or three days the boy automatically stopped his favorite trick. He lost—and the teacher won



## MAKING BAD CHILDREN GOOD

out—won out through tactful kindness, patience and persistence. Ever after the boy behaved himself like a little gentleman, and the instructor related that of all the boys who were discharged from the School, none left with a better re-made character.

The question of making kindness with firmness they have solved ably at the Iowa Industrial School. Paternalism and military discipline are carefully compounded. In their smart uniforms, the boys look like miniature soldiers. They are carefully drilled, for the officers in charge of them believe that military drill not only develops a boy's body but also teaches prompt and willing obedience, and moulds character. Each year the Industrial School has a competitive drill to determine which company shall be the colour-bearers of the battalion during the ensuing twelve months. No one who watches the tactics of these smartly uniformed boys at the School can question the value of military drill in the development of body and mind. They have a band of their own—a military band of 35 pieces, conducted by a man who knows his business thoroughly and who has a wonderful ability to interest the boys in music and instruct them effectively. Every day, for an hour or two, the band-boys practice, and their concerts are of a high grade that appeals to everyone who listens to the beautiful music they produce. At each meal time the boys repair to the dining hall in the big administration building, marching in a double file, the little soldiers keeping correct time. The "lock-step" is unknown. They go in and out, morning and evening,

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

to their residential quarters, in the same manner. They breakfast at 6 in the morning in summer, 6-30 A.M. in the winter. They have dinner at 12 the year round. They have supper at 5-45 P.M. in summer and 5-15 P.M. in winter. The grade school opens at 7 A.M. and lasts until 11-30, then begins again at 12-45, closing at 4-45 P.M. Half of the boys go to school while the other half are working at some industry. The boys who have spent their morning at books, work at their trades from 12-45 to 4-45 P. M. These are winter hours. The winter in Iowa is long and bitter. The thermometer is apt to register many degrees below zero in the morning and evening. Juveniles enjoy skating and the School provides each company with a skating pond. But, as a rule, the winter is not the time for out-door play. Unfortunately, the Industrial School lacks a good gymnasium, well-lit, well-ventilated and well-supplied with apparatus, where the boys could while away a half hour or an hour of a winter evening, and not only have a good time, but also train their bodies to be more supple and vigorous. In summer the boys, after supper, play foot ball and base ball and tennis, and for these games the School provides a splendid equipment.

Winter or summer whether the vault of the sky presents a dirty, dismal appearance, or the sun is shining bright, like a huge nugget of gold in a turquoise setting, its genial rays bathing human beings with warmth and happiness, the boys at the Iowa Industrial School look cheerful and pleasant. Their long hours

## MAKING BAD CHILDREN GOOD

and their military ways are toned down by the parental kindness of the teachers. I have said before that at this school they mingle kindness with sternness in a very wholesome, effective combination. This is easier said than explained. The impression is more a matter of *feeling* than deduction. You have got to see the boys and witness how they are handled in order to realize what this statement means. But to form a faint idea of my impression, figure it out this way :

The head of the School is a man barely 34 years old. He trained himself to be a lawyer ; but practicing law was not the *metier* of his life. He is a shrewd man. He would have succeeded as a lawyer ; but I doubt if he would have found the happiness practicing law which he finds now in making bad boys good, rendering the waste material profit-producing. This man, the superintendent of the Iowa Industrial School, has an affectionate, kind disposition. He does not bury himself in a secluded sanctum. Any one can approach him—at any time of his waking hours—any boy can come to him and tell his little troubles—may he weep a few tears and find consolation in them. The fact that the boys have free access to him at all times acts as a check on the officers, for they know that if they misbehave toward the lads under their charge, the news will at once be transmitted to their superior officer, who will not countenance infractions of his rules for officers and teachers. Mr. W. L. Kuser has been engaged in various capacities in child-saving work for 10 years. His wife actively assisted him until a little





**Mr. W. L. KUSER**  
The Superintendent of the School



**Mrs. W. L. KUSER WITH HER BABY**

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

over a year ago, when, on the elevation of her husband to act as the head of the School, she was forced to relinquish her position as matron, since the governing law of the School wisely provides that no relative of the Superintendent shall hold any position in the institution. Mrs. Kuser is a woman with abundant tact, and I do not doubt that she exercises a vast influence on the School through her husband.

The superintendent of the school is responsible to a Board of Control. The Board consists of three members, one of whom retires every two years unless he is reappointed. The appointments are made by the Governor of the State—these appointments being ratified by the State Senate. The Board outlines the general policy under which the school shall be conducted, but does not hamper the superintendent in the management of the institution. The superintendent is, to all intents and purposes, an autocrat, a Czar, so far as the affairs of the Industrial School are concerned. The School receives a grant of Rs. 89 a month from the State, for each boy, and within this meagre sum the expenses of the institution must be met. The superintendent must show a great deal of business tact to efficiently and economically manage the establishment. Furthermore, if the appointments in the school were political prizes, to be given away by politicians for political services—as is the case in most of the State and Governmental institutions of the United States—the superintendent could not enforce efficiency. Nor would it conduce to efficiency if the head of the insti-

## MAKING BAD CHILDREN GOOD

tution could not appoint and dismiss his employees. In order to achieve the utmost good, the man in charge of such a school must have a discretionary power. None but a responsible, conscience-guided person, however, could be appointed to a position of this kind.

From the foregoing, it is easy to infer that the success or failure of the school, in a large measure, depends upon the business capacity, tact and honesty of the superintendent. His standards of morality decide the moral tone of the school. He must be cautious in selecting his aids, for good boy's do not copy bad men, nor can bad boys be made good by men who are not themselves good. Moreover, no matter how good a character a man may bear, unless he is able to discharge the duties delegated to him at the school, in an able manner, the efficiency of the institution cannot but suffer. In the kind of work they do at the Iowa Industrial School—the re-making of an incorrigible boy into a useful, honest citizen—very delicate brains are needed in order to insure success. You pick out a man with austere moral standards and forget to notice that he is a puritan, in whose code of religion, innocent fun is synonymous with acts that lead toward damnation, and install such a man in an institution of this kind, and you may be sure that you will make the bad boys good, but not without robbing them of a good bit of their wim and life, which ought to be developed and trained and guided into the right channels. How can an institution in the hands of over-zealous moralists or bigoted reli-

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

gious cranks be a healthy place where growing boys can develop into sane men?

Morality must be tempered with affection, strictness toned down by paternalism. To ensure this, you must not pluck a boy away from his parents, and transplant him into a world of *men*. It is a short-sighted policy which would dictate that the boy should not learn manners from a woman, derive culture from a woman. If the State acts *in loco parentis*, what business has it to fail to provide some sort of a substitute for mother-love, mother-guidance, mother-training?

In this lies the crux of the whole situation. Here is the explanation for the kindness-that-is-firm which I found in the institute. About one-half of the employees are men—the other half are women. The boys live in cottages, in companies. A married couple is in charge of each cottage. This gives the boys a touch of home-life. The foster-father and foster-mother supply the firmness and kindness which is to reclaim the boy from badness.

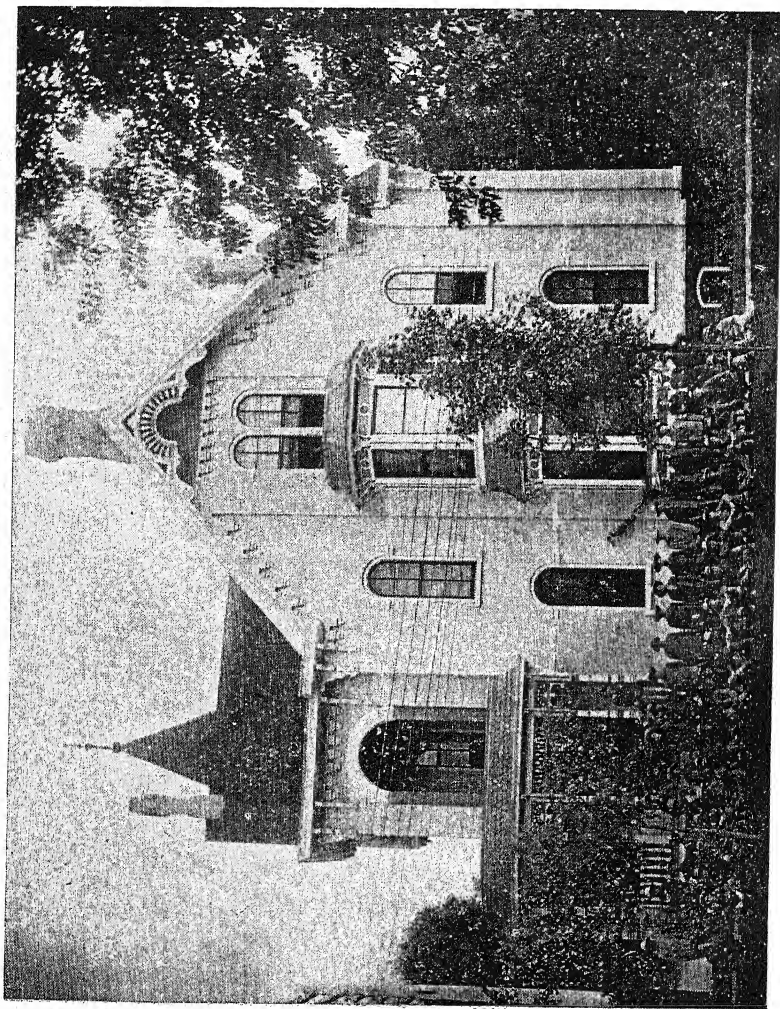
Life in the Cottage is productive of much good. During the long winter evenings, the lads read books and magazines. The family manager and his wife who are in charge of the cottage bring magazines and books for the boys from the library, which consists of more than 3,000 volumes and nearly all the current magazines of standing. The parlour contains a phonograph and many choice records. There is also an organ in the recreation room, and the boys enjoy the reading and



## MAKING BAD CHILDREN GOOD

music. In the basement of each cottage there is a commodious bath room. Hanging from pegs you find towels and tooth brushes. Each one has his own tooth brush, and towel, the latter being renewed every morning. The bath room is elegantly fitted with shower baths, and tubs, and everything is done to keep the boys neat and clean. Once a week the lads must bathe their entire body and change their underclothing. Every morning the face, neck, ears and hands are washed, and teeth are brushed and, every night the feet are washed before they go to bed. A laundered white night shirt is given to each boy, and this is renewed once a week, when he takes his weekly bath. Each boy has his work dress and overalls, and also a neat suit for every-day wear. In addition, he is given a good suit, white shirt and linen collar for wear on Sundays and holidays. When the youth comes to the institution he is usually clad in dirty, ragged clothes. These, as has been hinted above, are at once destroyed. When he leaves school, he is clad in a civil suit, made of good material, especially for him, in the latest style, in the tailor shop. The in-coming and the out-going boys naturally present a vivid contrast in clothes, looks and manner. The inmates of the school appear clean and smart: and such innocent, honest faces have they, that a visitor often finds himself asking the question why these little fellows had to be sent to the institution for correction.

If a boy falls sick while he is an inmate of the school, he is taken to the hospital, which is located on the third



**TYPE OF COTTAGE AND RESIDENTS—THE BOYS LIVE IN COTTAGES**

A married couple is in charge of them. The cottage has a dormitory where the boys sleep in beds that are comfortable and neat.

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

floor of the Administration Building. There ought to be a separate building for the hospital, especially for patients affected with contagious diseases : but as it is, the hospital is in charge of a trained nurse, who keeps the place in excellent condition. A qualified physician and surgeon looks after the cases in the hospital. Separate provision is made for boys suffering from contagious diseases, rooms being set apart where they may be quarantined. One-half day each week a dentist from the near-by town—Eldora—spends in the institution, caring for the teeth of the inmates. The school owns a dentist's chair and the necessary equipment, and everything possible is done to keep the boy's teeth in a sound condition. Silver and cement filling and cleaning are all done at the expense of the State, and the visiting dentist lectures the lads on the care of the teeth.

In each cottage, the dormitory is on the second floor. The boys are provided with separate iron beds with excellent springs, comfortable mattresses and comfortable pillows. The pillow cases, sheets, spreads and blankets are all of high-grade quality, and are kept immaculately clean. Each one is taught to neatly make his bed in the morning : and, judging from the results I saw, the teaching is effective. Next to the bed-room are the lockers, which are numbered, and in which the boys keep their clothes. A night-watchman makes rounds during the night, every hour and a half, to see that the boys are in their own beds and doing no mischief whatever. The married couple in charge of the

cottage sleep in the room beneath, and as it is possible for them to hear the slightest footfall on the floor above, they can exercise a good espionage over their charges. Just one disadvantage, to my mind, do the family managers labor under. They have too large a number of boys entrusted to their care. There are only seven cottages, and as there are usually 400 boys in the school, each cottage is forced to accommodate 50 or more boys—a number that is entirely too large for a single married couple to efficiently look after. The superintendent seems alive to this defect, and has recommended to the Board of Control that more cottages ought to be erected forthwith.

The boys eat in a large dining hall. It is well lit and well ventilated. Eight of them sit at an oblong table, on low wooden stools. The table linen is clean, and each one has his own napkin. The table linen is changed at least twice a week—oftener if necessary. The napkins are renewed three times a week. There is no chance of confusion, since each napkin bears the number of the table and stool. Each table has its monitor and this position is highly prized by the boys, and is invariably a reward of merit. The monitor sits at the head of the table and serves the food. He virtually represents the head of the family. The boys are given plenty to eat—and their meals are wholesome and well-planned. Meat is given them once a day. Bread and butter and gravy are not stinted. They are given a second or third helping, if they want it. As has been already



#### **DINING HALL FOR BOYS**

Each boy has his own seat, napkin, fork and two spoons. The boy is at the head of the table, dishes piled up in front of him. He helps the rest. Women in the picture oversee and teach table manners. Notice fans, electric lights, and the orderliness of the tables and boys.

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

remarked, the women of the cottages see to it that the boys behave properly, while engaged in eating. Before they commence to eat, at each meal time, Grace is recited in unison. Considering that over 350 boys were eating during the 5 or 6 times I visited the dining hall at meal times, they made a remarkably small amount of noise. Withal, the boys do not eat as if they were so many dummies. They talk and laugh, just as they would do in a well-regulated home. One day when I was in the dining room, the Superintendent called my attention to a table full of boys who, unlike the rest, were eating quietly, without uttering a word. In explanation, I was told that the privilege of talking had been temporarily suspended on account of those particular boys abusing it.

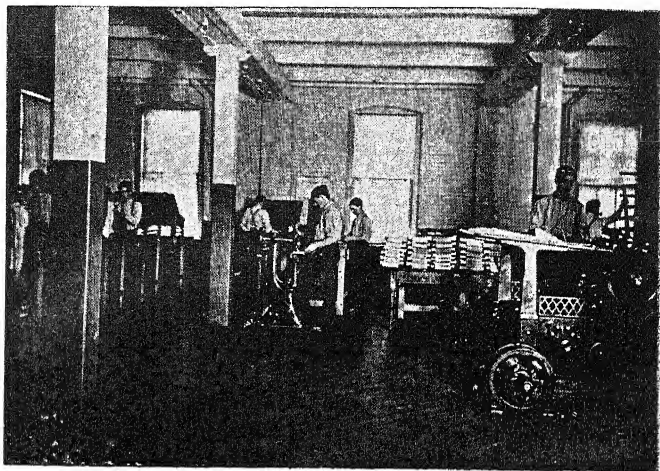
The officers of the institution eat in a dining room of their own, and also have their own kitchen. The Superintendent and his family have their separate kitchen and dining room. It may be incidentally remarked here that almost all the men and women employed on the staff of the Institution live on the grounds—and the place resembles a good-sized village, with its mayor (headman) unhampered by the township council. The cottage managers and their families live in their respective cottages. The rest of the employees live in the Administration Building. Here also reside the Superintendent and his family, in elegantly furnished apartments.

To feed this village full of people is no easy work. 600 pounds of flour are consumed in a single day.

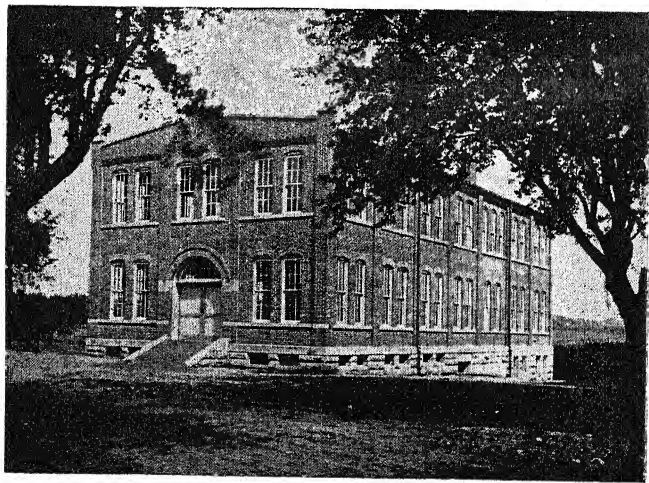
## MAKING BAD CHILDREN GOOD

One week's work in the bakery consists of the following products turned out: 226 pies, 500 cookies, 269 buns, 500 cinnamon rolls, 75 pans of corn bread, 175 doughnuts, 8 big pans of apple pudding, 5,000 loaves of bread, 25 cakes, 9 jelly rolls and 8 pans of toast. Last summer, 4,000 quarts of fruit and 1,350 gallons of tomatoes were canned by the boys, under the supervision of the kitchen manager, who is a young woman. Besides these, 23 barrels of pickles and 23 barrels of sauerkraut were made, and 3,147 glasses of jelly were manufactured. Sixteen gallons of tomatoes and 48 quarts of canned vegetables or fruit are required for a single meal. The dairy has 50 milch cows, yielding 60 gallons of milk a day. This milk is made into butter and cheese, and is used as milk, cream and butter milk. The supply is barely sufficient to meet the demands. Four hundred hens lay eggs in the hennery, all of which are used in the kitchen. The kitchen is provided with enormous steam kettles and in these monstrous pots the food is cooked by steam. The entire arrangements for cooking are superb, and reduce the amount of work to the minimum. Boys work in the kitchen, dairy, hennery, bakery and dining hall. In fact, boys are ubiquitous, doing all the work of the institution under the direction of capable instructors. Thus they learn their trades in a practical manner. As a rule, the Negro boys are put to work in the kitchens, and dining halls, and are trained to be expert cooks and waiters, as these professions are the ones they are most likely to pursue when they leave the school.





**PRINTING DEPARTMENT**



**BUILDING ERECTED BY THE BOYS**



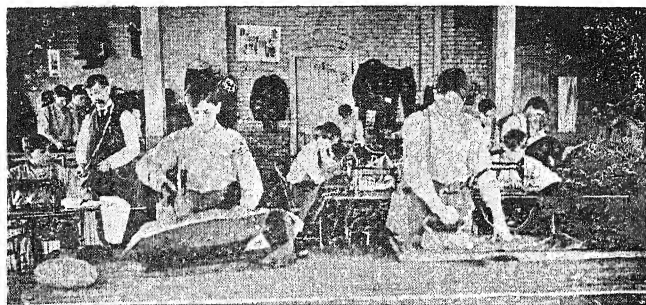
## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

The Iowa Industrial School has 40 acres of timber land, 90 acres devoted to vegetables and fruits, and 840 acres of farm land. The latter is devoted to raising corn, oats and hay for feeding horses, cows, pigs and stock in general. All the vegetables and fruit consumed during the entire year are raised on the farm connected with the school, by boys who do the work under the direction of an expert gardener. The man in charge of this department told me that 3,500 bushels of potatoes, 3,500 pumpkins, 20,000 heads of cabbage and 800 bushels of dry onions were grown last season, as well as immense quantities of other vegetables. In fact, the garden yields a surplus which is sold, and the sum realized is used in conducting the schools. All the agricultural work is done by the boys, and in this way they are taught how to till the soil by modern methods and machinery. As a general rule, the boys are encouraged to work as farm-helpers rather than to engage in industries. Farm help is always in demand in Iowa and the United States. Good wages are paid to farm hands. Moreover, the young man on the farm is not exposed to as many temptations as he would meet in a city factory, shop, store or office.

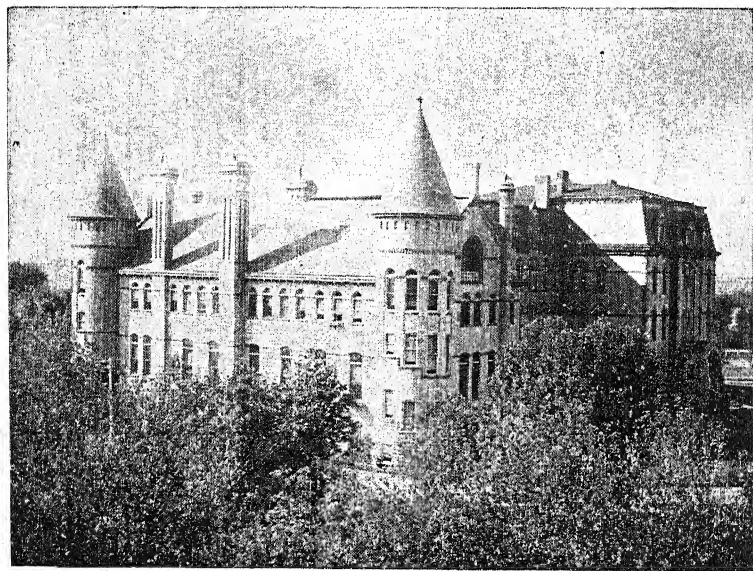
Everything about the whole institution is done by boys. Under the guidance of their teachers, walls are whitewashed, ceilings calcimined, and the buildings are painted and decorated, inside and out, in an artistic manner. Buildings are put up by the youth. The State appropriated Rs. 30,000 for the purpose of erecting and equipping one of the shops but only Rs. 771.

## MAKING BAD CHILDREN GOOD

were spent for contract labor, the balance of the work being done by inmates of the school. All the clothes worn in the school are made in the tailor shop under an expert instructor. All the mending is done by the boys, the smaller lots being utilized for this purpose, gradually working up from the mending room to the tailor shop. The laundry work for inmates and offices is done by lads in a perfectly equipped laundry. The shoes and harness are made in an up-to-date shoe shop and harness shop, by boys who know not a thing about shoemaking when they entered the institution. In the blacksmith shop, the lads are taught smithing, and it is intended to introduce wagon-making as well, as the shop is excellently planned for that purpose. The school has its own electric light and telephone and steam-heating plants. All the work about them is performed by boys. An average of 16 tons of coal are used every day to furnish the power to heat and light the buildings and run the machinery. The institution also has its own water works and sewage system installed and looked after by the some-time bad boys, now being made good. All the printing for the school and for many other State institutions is done in the print shop, which averages from Rs. 300 to 450 per month for the job work which it turns out. The Superintendent estimates that the institution earns Rs. 9 per head per month. All this work means a curtailment of the cash expenses of the school and also incidentally teaches the boys one of the following trades :



**AN INTERIOR VIEW OF TAILOR SHOPS**



**THE ADMINISTRATION BUILDING**

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

Agriculture  
Baking  
Barbering  
Blacksmithing  
Bricklaying  
Carpentering  
Cooking  
Electrical Engineering  
Floriculture  
Harness Making  
Laundering

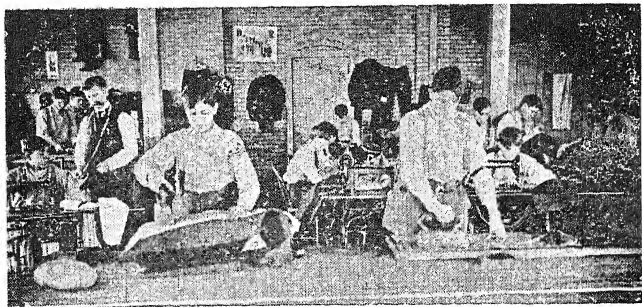
Painting and Decorating  
Plastering  
Plumbing  
Printing  
Shoemaking  
Stationary Engineering  
Steam Fitting  
Stock Raising  
Stone Masonry and Cement Work  
Tailoring

In teaching trades, the effort is made to so instruct the boy that when he leaves the school he can enter a shop or factory without serving a further term of apprenticeship. Care is taken to select the trade for which the boy seems to be best fitted, and he is kept at that. Many of the youths evince a disposition to shift from one trade to another, but this tendency is firmly but kindly overcome.

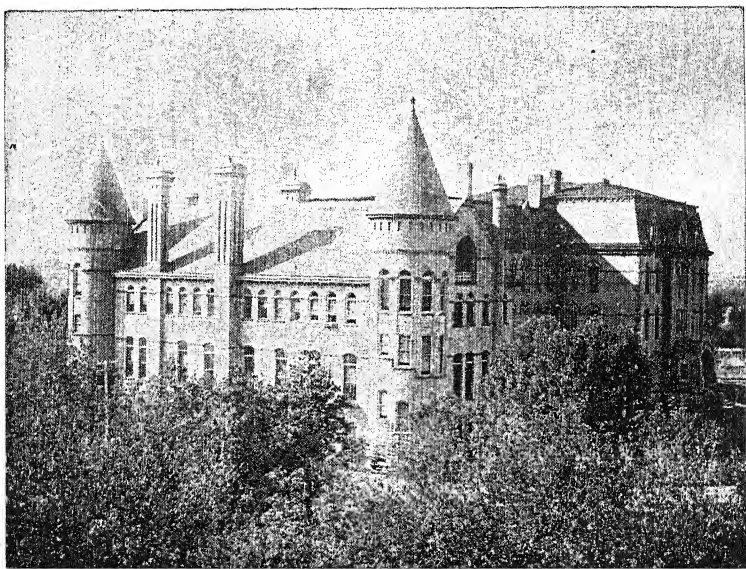
Besides teaching the boy a trade, cultural instruction is given him. A regular grade school is conducted by certificated teachers under the direct supervision of a male principal who is well qualified for this work. Here the lad learns the rudiments of the three R's. He is taught history, geography, penmanship and drawing, and even algebra. Many boys, when they enter the Institution, are unable to even read the alphabet. So well are they taught in the school, that at the last Hardin County Fair, the Industrial school boys won the first prize for their good penmanship, and they were invited to attend the County Teacher's Institute and demonstrate their efficiency.

## MAKING BAD CHILDREN GOOD

"Incorrigibility" is the somewhat ambiguous care on which the boys, for the most part, are sent to the Industrial School. These youths have committed some offence against person or property: Larceny and even murder are checked up against some of them. The ages at which boys may be committed to the Institution are between 7 and 18. The big cities in the State send the bulk of them. The 6 largest cities of the State furnish 60 per cent. of the inmates. Juvenile Courts in the larger cities and District Courts in the smaller town, commit the boys to the Industrial school. Every one of the four boys whose photographs are reproduced came to the School on the score of "incorrigibility." The larger white boy in the picture had parents who owned no property. A brother of his has also been in the school. The smaller white boy came from a "poor farm" where his mother was residing at the expense of the society, a charge of the County. The boy on his arrival at the School was only 8 years old. His father is unknown. His mother lives a disreputable life. The larger "coloured" boy's parents are propertyless. He had a brother in the Industrial school in 1894. The small Negro boy—only 8 years old—is descended from intemperate ancestors. His father is dead. His mother has been married 3 times and is now leading a worthless life. He was admitted to the school during the writer's visit. At the time of his admission, he could neither read nor write; but he was at once started to school, being placed in the infant grade, and it will not be long before he will have a



**AN INTERIOR VIEW OF TAILOR SHOPS**



**THE ADMINISTRATION BUILDING**

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

Agriculture  
Baking  
Barbering  
Blacksmithing  
Bricklaying  
Carpentering  
Cooking  
Electrical Engineering  
Floriculture  
Harness Making  
Laundering

Painting and Decorating  
Plastering  
Plumbing  
Printing  
Shoemaking  
Stationary Engineering  
Steam Fitting  
Stock Raising  
Stone Masonry and Ce-  
ment Work  
Tailoring

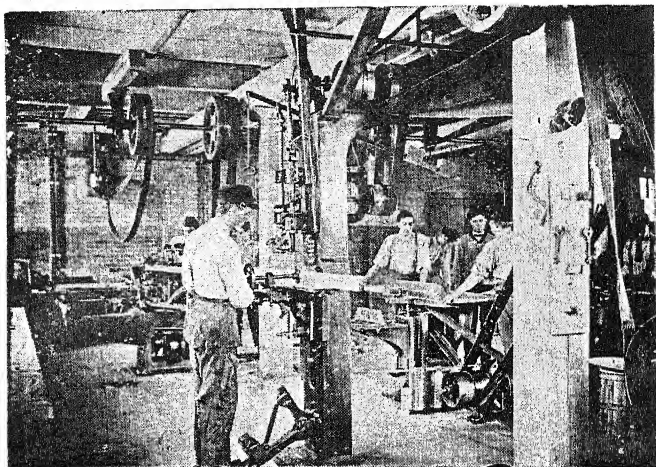
In teaching trades, the effort is made to so instruct the boy that when he leaves the school he can enter a shop or factory without serving a further term of apprenticeship. Care is taken to select the trade for which the boy seems to be best fitted, and he is kept at that. Many of the youths evince a disposition to shift from one trade to another, but this tendency is firmly but kindly overcome.

Besides teaching the boy a trade, cultural instruction is given him. A regular grade school is conducted by certificated teachers under the direct supervision of a male principal who is well qualified for this work. Here the lad learns the rudiments of the three R's. He is taught history, geography, penmanship and drawing, and even algebra. Many boys, when they enter the Institution, are unable to even read the alphabet. So well are they taught in the school, that at the last Hardin County Fair, the Industrial school boys won the first prize for their good penmanship, and they were invited to attend the County Teacher's Institute and demonstrate their efficiency.

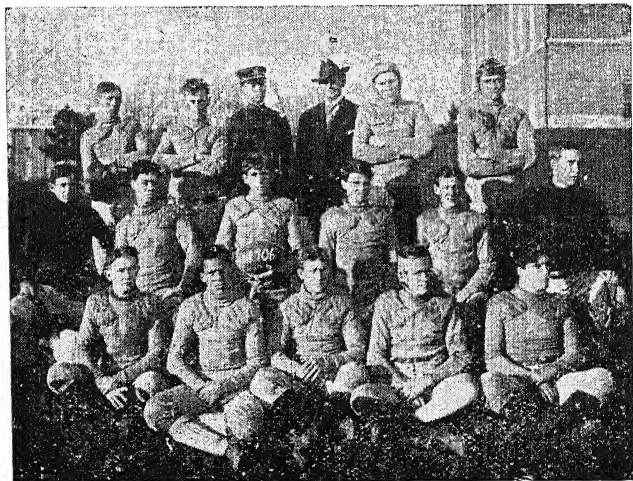
## MAKING BAD CHILDREN GOOD

"Incorrigibility" is the somewhat ambiguous care on which the boys, for the most part, are sent to the Industrial School. These youths have committed some offence against person or property. Larceny and even murder are checked up against some of them. The ages at which boys may be committed to the Institution are between 7 and 18. The big cities in the State send the bulk of them. The 6 largest cities of the State furnish 60 per cent. of the inmates. Juvenile Courts in the larger cities and District Courts in the smaller town, commit the boys to the Industrial school. Every one of the four boys whose photographs are reproduced came to the School on the score of "incorrigibility." The larger white boy in the picture had parents who owned no property. A brother of his has also been in the school. The smaller white boy came from a "poor farm" where his mother was residing at the expense of the society, a charge of the County. The boy on his arrival at the School was only 8 years old. His father is unknown. His mother lives a disreputable life. The larger "coloured" boy's parents are propertyless. He had a brother in the Industrial school in 1894. The small Negro boy—only 8 years old—is descended from intemperate ancestors. His father is dead. His mother has been married 3 times and is now leading a worthless life. He was admitted to the school during the writer's visit. At the time of his admission, he could neither read nor write; but he was at once started to school, being placed in the infant grade, and it will not be long before he will have a





**AN INTERIOR VIEW OF CARPENTER SHOP**



**A FOOTBALL TEAM**

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

good education, and be started on the road to a noble manhood. These four boys are typical of the rest. A study of them abundantly shows that the sins of the fathers are visited upon the children, and that a congested tenement block in an over-populated city is not conducive to normal child development. These incorrigible youths the Iowa Industrial School takes in hand and by patient and persevering training turns them into good, honest, useful, citizens. The youths usually remain in the school for two or more years, although, as a result of the system of merits, they can work themselves out of the school in 14 months, if they will to do so. Upon leaving the institution, they are placed in good homes, where they will live in wholesome surroundings that will not undo the good work the Institution has done, and where they will be enabled to overcome their tendency to badness. If the boy is of an age where he ought to work, a good position is found for him to go into when he leaves the school. The State of Iowa, which maintains this School, has an Agent whose business it is to find reputable homes for the younger boys, where they will really have a home-life and be given an opportunity to build good a character. For the older boys, he procures suitable work in wholesome surroundings.

The boy's life at the School is not a dull, dreary, gray. The lads do not lead as austere a life as you might think they do. In the cottages, especially during evenings, in the dining room at meal times, in the playground, they mingle with one another, the companies always being kept strictly separate, and have a jolly good time.

## MAKING BAD CHILDREN GOOD

The boys living in a cottage are almost the same age and size, so carefully are they classified. Big boys and small boys are not herded together indiscriminately. Not more than once a year, on the Fourth of July, the day when the signing of the Declaration of Independence is celebrated, do all the boys play together, without regard to the corps to which they belong. On this day, all gather together on the campus and enjoy the day, listening to patriotic speeches and having a good time.

Every week, usually on Saturday nights, entertainments are given by the boys. Boys impersonate female characters and much amusement is derived from the sketches which they present and the programs they give. The following program will give an idea of the character of the entertainments provided by the boys for their own amusement :

Song, My Dream of the "U. S. A." . . . . .

. . . . . Chorus

Recitation, "Arathusa's Beau," . . . . .

. . . . . Arthur Hutchinson

Song, "Smarty," Roy Raines and F. Houx

Reading, Selection from "Mrs. Wiggs,"

. . . . . Paul Critz

Recitation, "Mother's Songs," . . . . .

. . . . . Robert Van Aiken

Dancing, "Dance of the Hopintots," . . . . .

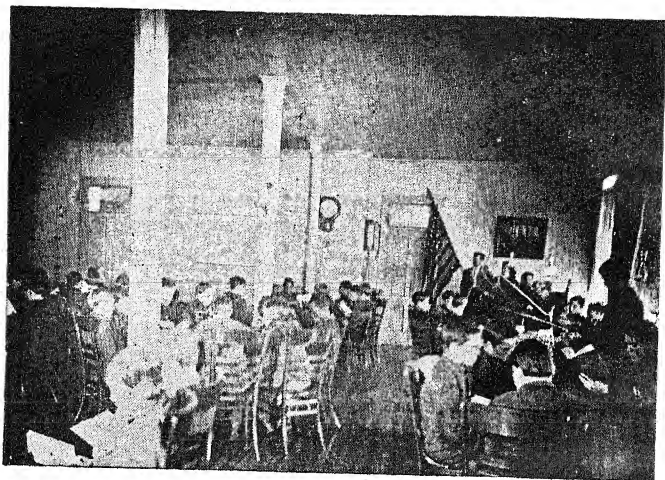
Arthur Law, C. Carr and Wm. Johnson

Recitation, "Turn to the Right and Keep Moving,"

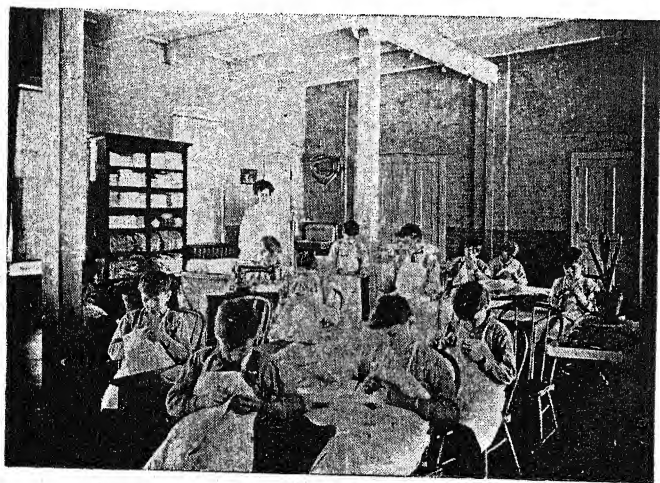
. . . . . John Ryan

Song, "Better Be Good," . . . . . Chorus

Dialogue, "That Dreadful Boy."



**COTTAGE PARLOUR**



**MENDING ROOM**

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

### CAST OF CHARACTERS

Mr. Ford, . . . . .	Chas. Heiss
Mrs. Ford, . . . . .	Roy Raines
Rose Ford, (their daughter) . . .	F. Houx
Dick Ford, (their son) . . . .	Paul Critz
Mr. Baker, (Rose's Beau) . . .	Geo. Heiss

---

Selections, . . . . .	Phonograph
Music, . . . . .	By Band
Pianist, . . . . .	Miss Houghton

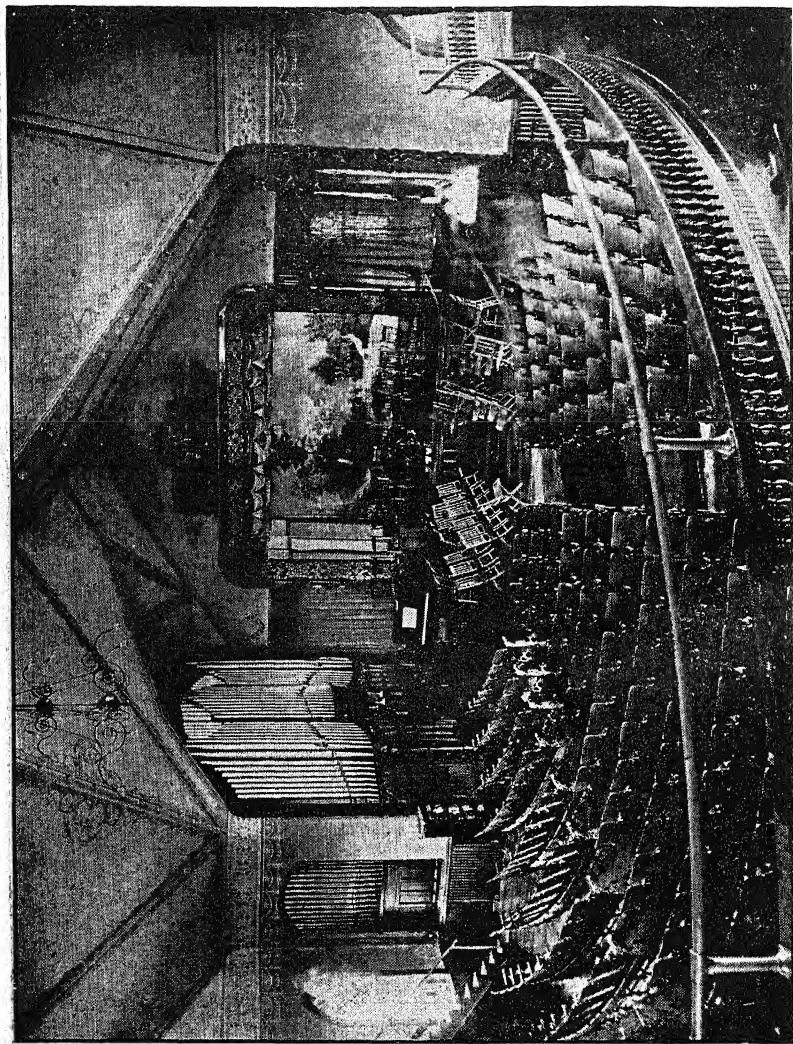
The scenery used in giving these entertainments is all painted by the boys. I never had the opportunity to witness one of these performances, but those who have seen them have pronounced them to be intensely amusing.

Vocal and instrumental music is taught in the institution, as well as orchestral and band music, and some of the boys display wonderful talent. Two little fellows are especially proficient in vocal music, and at entertainments and in the Sunday Services in the chapel, sing duets with sweet, clear voices that charm the listeners.

All the entertainments are given in the Chapel, which is an elegant building, the walls and ceilings all artistically decorated by the boys. The chapel has a large pipe organ valued at Rs. 10,000, and also a sweet-toned piano. The pipe organ was donated to the institution, and was originally installed in the Iowa Building at the St. Louis World's Fair, where it attracted a great deal of attention because of its deep,

## MAKING BAD CHILDREN GOOD

rich tones. Every Sunday morning between 11 and 12 and every Sabbath afternoon between 2-30 and 3-30 all the boys go to the Chapel for Sunday services. The morning Service is conducted by the Superintendent of the School, the one in the afternoon being conducted by the ministers of Eldora churches. Both services are of a non-sectarian character. The Sunday School lesson forms an essential feature of the afternoon service and is of special interest, since through its means many wholesome lessons are taught to the boys, in simple language that has no suggestion of sermonizing about it. The morning service is of especial value. The growing boys are carefully and conscientiously told about the mystery of life—and thus effort is made to save them from excesses and indiscretions, which blight and blast so many valuable lives. The Superintendent exhorts the boys to lead tidy, temperate, useful lives and thereby make themselves and others happy. These services endeavour to propagate love of country. In fact, one of the chief aims of the Industrial School is to rouse a feeling of patriotism in the breasts of the boys, and encourage them to hold before them high ideal of their duty to their country and to themselves, to be good, honest, God-fearing men. The motto of the State of Iowa, copied by the Institution is: "Our liberties we prize, and our rights we will maintain". Patriotic paintings decorate the walls of the chapel and cottages, and love of country is always held before the eyes of the youths as something to be proud of.



**THE IOWA INDUSTRIAL SCHOOL—INTERIOR OF THE CHAPEL**

Notice the Rs. 10,000 pipe organ, the walls and ceiling decorated by boys, the curtain behind nostrum painted by boys



## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

The youngsters are allowed to write to their parents once a month, on Sunday afternoon. They also send to their relatives, monthly copies of the "Industrial School Echo," which is printed by the boys in the print shop and contains wholesome advice to the juveniles, as well as interesting stories, anecdotes, and general information. Each company and each shop in the School has a reporter who furnishes notes for the "Echo" regarding the achievements of his corps during the month. The following poem, selected at random, will show the character of the uplifting advices given to the boys through the medium of "The Echo":

If you're saddled with the notion  
That you ought to have promotion  
Don't mistake the mere desire for ability to rise  
Give the subject more reflection;  
It may take a new complexion  
When you view your capabilities with calm,  
unbiassed eyes.

Find out if you are returning  
Value full for what you're earning,  
First be sure that you have done the very best  
you could;

Perhaps the time you're wasting wishing  
Takes your mind from off your fishing.

If you show a pile of sawdust we'll believe you're  
sawing wood.

The motto of the "Echo" is suitable. It runs.  
"He loses most who does not do his best."



## MAKING BAD CHILDREN GOOD

The beneficence of such an institution is hard to express in rupees, annas and pies. It is a veritable factory where crooked timber is straightened for use in building the national structure. The buildings, plant and appurtenances of the Industrial School are worth about Rs. 15,00,000. The State of Iowa spends Rs. 1,87,200 annually in conducting the School. Of course, these figures do not include the amount of money that is earned by the boys working in the trades departments of the School, and, which is, therefore, saved to the State. But for the productive work of the boys, the Government would have to expend a further sum of Rs. 43,200, making the total expenses of the School Rs. 2,30,400.

I wish I had at my command the figures which would tell how much money the work of the Industrial School saves to the State which otherwise would have to be spent on police courts, police establishments, jails and penitentiaries. The Superintendent of the institution, after careful study, deposes that 65 per cent. of the boys, after leaving the School, lead reputable lives ; and that only 10 or 15 per cent. really go to the bad. What a blessing to human society these figures signify ! When society awakens to its full responsibility in regard to reclaiming the so-called juvenile delinquents, there is no doubt whatever that it will realize the folly of stinting expenditures of money and energy on institutions like the Iowa Industrial School. Any money expended on such institutions is merely an investment ; while the money spent on jails and penitentiaries is so

## HOW BAD BOYS ARE MADE INTO GOOD CITIZENS

much barren waste, in-as-much as the institutions that merely confine the derelict are apt to degenerate rather than uplift him.

As an illustration of how the boys are benefited by their sojourn in the Industrial School, and taught to live the life worth while, it may be mentioned that the assistant cashier of a bank in one of the towns not far from the School was an inmate of the institution, and was helped to be good by the care that was bestowed upon him there. A leading lawyer of the State, a man who has attained considerable eminence in his profession, and, who has risen to a position of influence in one of the political parties of his State, was also at one time an inmate of this Industrial School. At this institution he received such an impetus to "make good", as the American would put it—that he dominates in a large measure both the bar and the political party. What better testimony could be offered to show the beneficence of the Juvenile Saving propaganda?

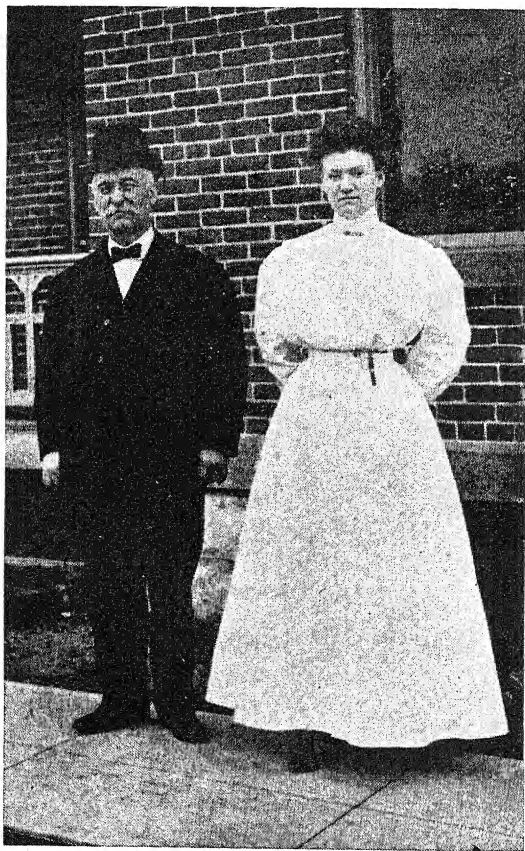
## CHAPTER V

### HOW BAD GIRLS ARE MADE INTO RESPECTABLE WOMEN

In the preceding chapter, nothing was said as to how wayward girls were weaned from their wild habits and put on the road to respectability. This omission was made purposely, since fashioning the bad girl into a good woman is a subject of importance, deserving separate treatment.

The State of Iowa, which maintains the "Iowa Industrial School for Boys" (which formed the subject-matter of the preceding chapter) also conducts "The Iowa Industrial School for Girls." The one takes in hand male, the other female Juvenile offenders. The sex of the charges differs; but both institutions aim to accomplish the same object. The State, through these Industrial Schools, makes the effort to reclaim delinquent and degenerate Juveniles, and train them to lead useful, honest, and God-fearing lives.

To reform bad boys is a hard enough task : but to re-mould girls is still harder. The habits of the girl, as a rule, are more tenacious ; and to reclaim her from vicious habits, especially if they have become set and hardened, is a job that taxes the nerves to the uttermost.



**SUPERINTENDENT FRANCIS P. FITZGERALD & MATRON ALICE LUCE.  
STATE INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA**

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

Yet considerable success is achieved in uplifting the girls committed to the State Industrial School and investing them with ideals that make for worth-while womanhood.

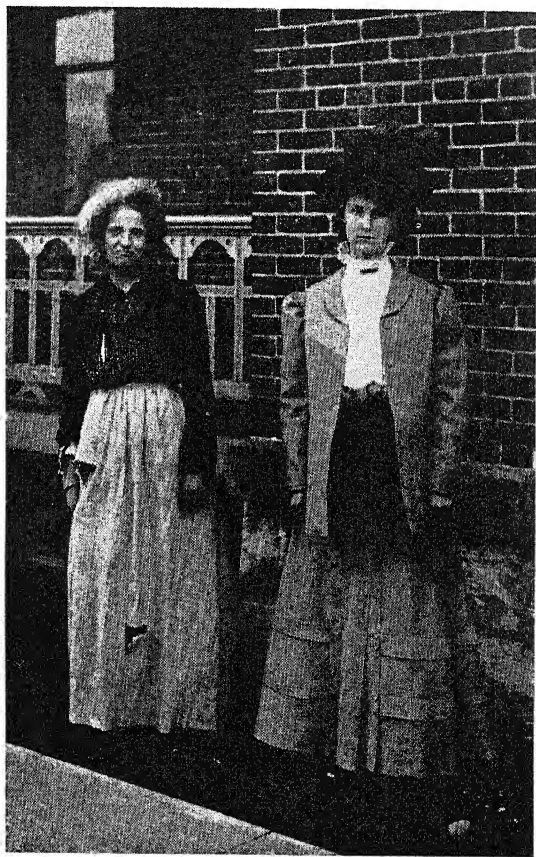
If you could sit by the side of the Superintendent of the Industrial School for Girls at Mitchellville, Iowa, while he is admitting lassies committed to the institution, and listen to the woe-begone stories they have to relate of how they were led into delinquency, your cheeks could not but burn with wrath and shame. The recitals of how the girls were duped by malicious minded men and women and betrayed, could not but excite your ire. The accounts of cruel neglect on the part of parents and guardians, of the inheritance of criminal and intemperate tendencies from forbears, the direct incitement of the parents to commit offences against society, could not but rouse you to anger. There are a little over 200 girls in the institution at the time of writing this—the average number of inmates the year around—and each girl out of these 200 has a story to tell that vividly conjures up before your brain the incapacity, neglect or viciousness of parents, or impresses you with the unspeakable brutality of some men or women who is a veritable wolf in sheeps clothing, preying upon the vitals of humanity.

The Superintendent of the School keeps a book in which are entered conscientiously penciled records of the girl's heredity. Here are written the details of the social, moral and material condition of the parents of the ward of the State. Here are entered particulars of

## MAKING BAD CHILDREN GOOD

how the girl was brought up—how she went to the bad—how many of her near relatives have gone wrong, and to what institutions they have been committed by the courts. Note is also made of the girl's physical, and moral condition at arrival at Mitchellville. Space is reserved to record the girl's progress at the School, and after graduation from the institution. The Superintendent allowed me to look through the book. I hurriedly scanned a score or more of records. Each page that I turned made me feel madder—not at the girls—they are not the sinners, mind you—rather have they been sinned against; but I felt wrath at the inefficient mothering and fathering these young lassies had received—at the parents and relatives directly leading the young ones to the bad or conniving at their abduction.

Girls between 9 and 18 are sent to the School for correction—that is to say, roughly speaking, the wards of the institution are mere children. Yet at least 60 per cent. out of every 100 of them, on admittance are found to have the filthiest of bodily diseases. Some of them arrive with such serious physical disorders that, to permit them to cook in the kitchen, would be to spread contagion. Their pallid cheeks, sunken eyes, emaciated faces, lean bodies and spiritless gait bespeak that these girls of tender years have wrecked bodies. No work for their moral uplift is possible until they have been purged of physical disorders. The saffron in the cheek must give way to the rose, the chicken tracts about their eyes must be filled out; the feeling



The Girl as she comes in and as she goes out

**STATE INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA**

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

of langour must yield to vim and life ; before the character of the girl can be remodeled and before she can be taught to lead a worth while existence.

Then too, the girl considers herself wronged when she is sent to the institution. She has not arrived at the age of discretion—she is incapable of looking ahead of her. She does not know—cannot realize—that if she had been born 100 years ago, or even to-day in a less progressive state than Iowa, or a less go-ahead country than the United States, she would have been allowed to plunge off the steep incline of immorality into eternal damnation. She does not know that the modern child-saving propaganda is beneficent to her in the highest degree. What she knows is this: she will not be able to lead the so-called, gay life. The jewelled gates and golden streets of Bohemia have lured her to step across the narrow boundary that divides the land of respectability from the desert of the under-world. Some rascal has made protestations of love to the youngster. The incense that rises constantly before the shrine of Bacchus, who is the chief deity of the mis-styled land of pleasure, thrills her brain and intoxicates her senses. The poor child finds it hard to be parted from this alluring and seemingly-charming life. For the society that provides a splendid opportunity for her regeneration, she has no thanks: she has only opposition and execrations to offer it. The wily influence of Bohemia has rendered her insensible to all outward influences that might woo her away from the gilded temple, and every danger signal is trans-



## MAKING BAD CHILDREN GOOD

muted into a more enticing lure by the mischievous devils who manipulate the affairs of Bohemia and guard its exits to keep repentent women from finding their way out of the maze. Some few there are who are able to struggle through the bog, and land on the other side, with garments stained and soiled and high ideals shattered; but most of them lose their way and sink through the treacherous quicksands of unconventional pleasure into the slimy depths of the underworld.

It is this girl who is rebellious at being torn from Bohemian life—a girl whose body has been tainted, whose mind has been vitiated, who has been allowed to go to the bad through neglect, or who has been maliciously taught badness, has been committed to the School, which is to make an effort to redeem her body and soul from the grasp of pernicious habits and engender within the unfortunate creature a love for rectitude and respectability.

These facts will incidentally give you an idea of the difficulties which the authorities of the School have to contend against; but to form a more accurate and appreciative estimate of the magnitude of the task imposed upon the staff of the institution, a peep into the vital statistics is needed. During the biennial period ending June 30, 1908, the following ages were represented amongst the inmates of the institution;

	AGE AT TIME ADMITTED		
	1st year,	2nd year,	Period.
Eight,	...	1	1
Nine,	1	1	2

# MAKING BAD GIRLS INTO RESPECTABLE WOMEN

Ten,	1	2	3
Eleven,	...	3	3
Twelve,	2	4	6
Thirteen,	5	10	15
Fourteen,	23	10	33
Fifteen,	17	18	35
Sixteen,	7	9	16
Seventeen,	7	6	13
Average,	14.8	13.6	14.2

During the above mentioned biennial period, the divisions according to race, were as follows :

## COLOUR OF THOSE ADMITTED

	1st year,	2nd year,	Period.
Negroes,	3	9	12
Whites	60	55	115
Total	63	64	127

Four of the 127 admitted to the institution were absolutely illiterate : none of the rest could be said to possess a high cultural education—in fact, the education of nearly all of them had been sadly deficient. The large per cent of the girls, according to the sub-joined table, were diseased, many of the girls suffering from the filthiest of disorders.

## HEALTH AND GENERAL CONDITION OF THOSE RECEIVED

	1st year,	2nd year,	Period.
Good,	13	9	22
Diseased,	38	45	83
Fair,	12	10	22

## MAKING BAD CHILDREN GOOD

These 127 girls were admitted to the institution for having committed the following crimes :

### OFFENCES OF THOSE COMMITTED

1st year, 2nd year, Period.

#### CRIMES AGAINST PROPERTY

Larceny,	3	4	7
Breaking and entering,	...	1	1

#### CRIMES AGAINST PUBLIC ORDER

Incorrigibility,	54	51	105
Assault and Battery,	1	...	1
Lewdness,	1	2	3
Prostitution,	1	4	5
Vagrancy,	3	2	5

As a key to the depravity of some of the inmates of the Iowa Industrial School for girls, the following tables relative to their heredity are instructive :

#### MORALS AND HEREDITY

1st year, 2nd year, Period.

Intemperate mother,	18	5	23
Intemperate father,	9	2	11

1st year, 2nd year, Period.

Parents living together,	19	17	36
Parents divorced,	14	10	24
Parents separated,	14	27	41
Parents unmarried,	1	11	12
Unknown or not reported,	15	10	25

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

### PARENTAL CONDITION OF THOSE RECEIVED

	1st year,	2nd year,	Period.
Orphaned,	3	7	10
Half orphaned by father,	8	9	17
Half orphaned by mother,	13	15	28
Parents living,	39	33	72

### HOME LIFE OF THOSE RECEIVED

Under Ten years, Under Fifteen years.

Age at death of father,	22	5
Age at death of mother,	25	13

### EDUCATION OF PARENTS OF THOSE RECEIVED

	1st year,	2nd year,	Period.
Father can read and write,	53	63	116
Father cannot read and write,	10	1	11
Mother can read and write,	57	61	118
Mother cannot read and write,	6	3	9

### INMATES HAVING RELATIVES IN STATE INSTITUTIONS

School for Deaf.	Ind. Sch. for Boys.	Ind. Sch. for Girls.	State Hospital for insanes.	Inebriates.	Soldier's Orphan's Home.	Feeble Minded.
Brothers,	5	...	5	...	2	...
Cousins,	1	1	...	...	...	...
Fathers,	...	...	...	1	...	...
Mothers,	...	...	1	...	...	...
Sisters,	1	5	...	...	1	1

## MAKING BAD CHILDREN GOOD

How are these girls, with tainted minds and bodies with not infrequently unsavory heredity, to be remodeled into law-abiding and useful members of society ?

Not by magic, to be sure. Not all at once. The mill that grinds the bad out of the girl moves slowly. The process is not only long, but also tedious. Abundant tact and patience are needed in order to make the work permanent. Mere kindness will not avail ; despite their youth, the girls are considerably hardened ; their habits have become quite set ; and gentleness alone is powerless to win them over to virtue and usefulness. Mere discipline will not do. You may *repress* their badness, keep it under control, but the minute the pressure is removed, the girls will return to their old ways of vice. Your rules of conduct may be of the very best ; they may be enforced with the greatest care and exactitude : you may even succeed in making your wards behave like perfect ladies while they are in the institution ; but how are you going to insure that the girls have been made over to stay good for all time, to be gentle women all their lives ? It is the kind of life they will lead out of the institution that is to determine what success you have achieved in training the young woman while in school.

I could write a book to describe how the task is to be done ; but a briefer and surer method will be to relate how they do this work at the Iowa State Industrial School for Girls at Mitchellville—which truly is a model institution of its kind. As nearly as I can get

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

at the spirit of the School, it seems to me that a two-fold effort is made to mould bad girls into respectable women. This endeavour is of a negative as well as a positive character. The negative work consists in eradicating evil habits; the positive concerns itself with implanting noble ideals and forming worth-while habits. At first one is prone to look upon the negative portion of the work as secondary in importance to the positive aspect ; but the two are so essential in themselves that it seems arbitrary—at least useless—to waste any breath in determining the relative importance of the two, as the negative and positive work done at the Mitchellville School are intertwined like the strands of a two-colored cord, and it is as hard as it is futile to separate them.

In order to form a nation of the beneficence of this dual training, it must be remembered that nature abhors voids, and makes earnest efforts to fill empty spaces. Suppose, by constant care, you remove the taint of vice from these girls. A void will be created, which, if it is not filled with something good, is apt to be filled with that which will prove prejudicial. Nature works along lines of least resistance, and unless you fill up the void with wholesome ideals and noble aspirations, more than likely it will prove a lodging place for the same old perverse passions and base sentiments. He who seeks to permanently uplift these girls must not only strive to break down the old, degrading habits; but must also seek to implant in the minds of the young women the

## MAKING BAD CHILDREN GOOD

germ of good, and endeavour to nourish and develop it, by every means in his power.

Work at the School is not only calculated to wean the girl from her former undesirable habits and implant within her better morals ; but it also will invest her with the ability to support herself. Considering the fact that one out of 8 women in the United States works for her own livelihood, the advantage of such a preparation for life is apparent on the surface. When a woman knows that she is capable of supporting herself and her ambition has been whetted to lead a useful and righteous life, the chance of her going wrong is reduced to the minimum.

This, in brief, is the working philosophy of the Iowa Industrial School for Girls. It can be seen in daily operation at the Institution. Each girl is considered as a separate entity—not one of the common herd—possessing an individuality of her own. Her case is given special and expert attention. Her whole nature is considered—not her mere body, nor her mere soul, nor her mere mind. It is clearly recognized that the young woman has a triple nature: that her body, head and heart—one and all—need assiduous and expert attention. The institution makes it its business to find out the various disorders—physical, mental and spiritual that ails the girl. They have about 30 employees at the School, all thoroughly efficient in their special branch of work. With the exception of the engineer, gardener, farmer, carpenter, medical adviser and dentist, all the workers of the School are women.

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

All others than the dentist and the medical adviser give their whole time to the work of the institution. This corps of school assistants is presided over by a male Superintendent, Mr. F. P. Fitzgerald, who has devoted practically all his life to the study of child-saving work in particular, and sociology in general, and who is, in every respect, thoroughly efficient and conscience-guided. With such a splendid staff, the School is eminently fitted to do the work that the triple nature of the girl demands.

When a young woman comes to the School, the medical adviser takes her in hand. She is given an antiseptic bath—a bath is something that almost every girl sent to the School needs very badly. Her entire body is carefully examined and a complete report of her physical condition is made. If her eyes need glasses, the doctor gives her a prescription and the spectacles are provided by the institution. If her teeth need attention, the dentist employed by the School does all the necessary work, filling and cleaning her teeth at the expense of the State. It may be hard for the lay reader to realize, but nevertheless it is a fact, that the attention given to the eyes, teeth and body of the girl goes a long way to remove the cause of the moral delinquency of the young woman and paves the way for her leading a more wholesome life. In the experience of this and similar schools, it has been discovered that it is idle to expect a girl, or for the matter, a boy or even an adult—to lead a morally normal life when the body is not in a normal condition.



## MAKING BAD CHILDREN GOOD

Accordingly an essential though indirect method of weaning a person from badness is to render the physical condition as nearly normal as possible.

The girl, on arrival at the Industrial School, is more than likely shabbily or insufficiently clad. No woman ever amounted to much who did not take an active interest in her personal appearance. There is, of course, the extreme, where a woman—and eke man—dresses in the height (or, more accurately, folly) of fashion: and this is doubtless pernicious. But clothes exercise considerable influence, on character more than is generally admitted. An ill-dressed man or woman, with any sense of pride, is never at ease, and through sheer nervousness commits many mistakes. A woman who constantly slouches about in a dirty wrapper, and who does not care how she appears on the street, needs to have her pride stimulated. There is no excuse for any one dressing unbecomingly or untidily. Neatness and good taste do not cost much money—they may require much thought. Therefore, about the first thing the Industrial School does is to give a complete wardrobe of neat, clean clothes to the girl. Each ward is given two dark blue calico work dresses: two dark blue school dresses; one white Indian head Sunday dress; two light calico school aprons; three gingham work aprons; eight sanitary napkins; one sanitary band; hairpins; dark blue ribbon for Sunday wear, and a red, light blue, pink, or black ribbon according to the family in which the girl lives; for ordinary wear; a toothbrush, a coarse and a fine comb; pins and safety

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

pins; one Vassar can for Sunday, one straw hat; one fascinator; one shawl; one flannel underskirt; two cotton underskirts; two pairs of winter and two pairs of summer drawers; two summer undervests one corset cover for Sunday and one for week-day wear; two night dresses; one pair of elastics; three pairs of hose; six handkerchiefs and one pair of winter mittens.

All the time the girls remain in the School they dress neatly and becomingly. Their clothes are such that they take a legitimate pride in them. The care of them uplifts them. Incidentally they learn how to mend, in keeping them in good repair. In the dress-making department of the School, where each girl must spend a specified time, they are taught how to make their own and children's clothes. Every pupil helps to make an elegant suit of clothes which is given her when she graduates from the School. The girl's outfit, on leaving, consists of: a hat and jacket, a white shirt waist, a wool dress skirt, a pair of shoes and winter rubbers, two pairs of hose, two pairs of muslin and two of winter drawers, two undervests for summer and two for winter wear, two corset covers, two night dresses, one pair of elastics, two cotton and one flannel underskirt (the latter if the girl leaves in winter), four handkerchiefs, eight sanitary napkins, one sanitary band, two towels, two washcloths, one bunch of hairpins, one comb, one tooth brush, one paper of pins, one paper of safety pins, one paper of needles, two spools of darning cotton, two spools of thread (black and white), assorted buttons, two bars of soap, one dozen sheets of paper,

## MAKING BAD CHILDREN GOOD

one dozen envelopes, one lead pencil, one pair of mittens in winter and three pairs of shoe laces. A telescope is provided by the school for the girl to use in taking her outfit with her. Girls leaving for distant homes receive one extra change of clothes throughout. From Rs. 8 to 15, according to the distance she is going, are given to the graduate for incidental expenses, and her rail-road fare is paid by the School.

More than likely the ward of the School, on admittance, is either totally illiterate or barely able to read. The mind, from a cultured point of view, is not only uneducated, but is in a chaotic state, with weeds and tares of all kinds growing wild in it and running riot, depriving the noble emotions of the sustenance that, by divine right, belong to them. No remaking of a girl is possible under such conditions. The mental weeds must be pulled up and destroyed, and the ground prepared for a better, more profitable harvest. The girl must be taught to read and write, if she is illiterate. She must be so instructed that she will both love to read and have a capacity for understanding what she reads. From the well-equipped library of the institution, books must be placed in her hands which will inspire her to better living. The graded school on the premises, wherein she spends one-half of the working day, must teach her the rudiments of the three R's and bear the brunt of culturing her intellect. So long as the young woman is ignorant, she is a menace to herself, and also to society. Instruction must be imparted to her that will elevate her from her low,

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

sordid ideas. Her mental horizon must be enlarged. While it is true that amongst the ranks of the evil doers are to be found men and women who can read and write, it is likewise true that cultural education improves the moral sense of the person to whom it is imparted.

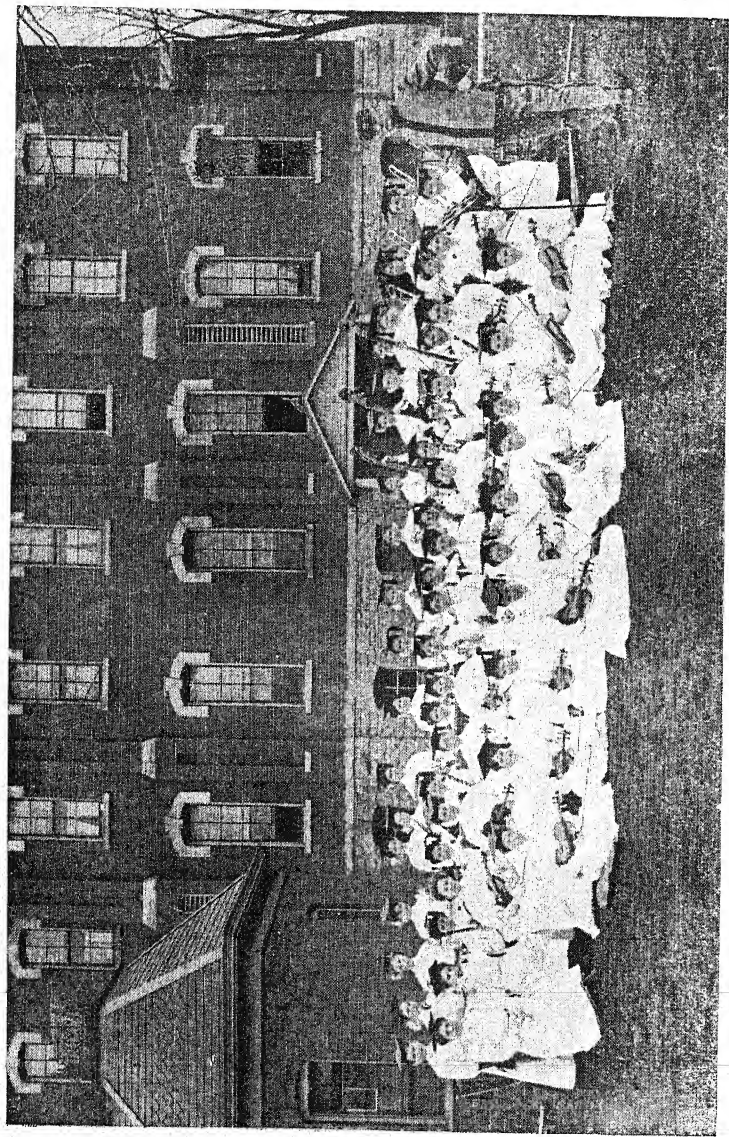
But the education of the girls of the Iowa Industrial School does not mean mere reading, writing and ciphering. Music and fancy work are essential features of it. The cultural value of these factors is dynamic. Both exerts an immeasurable ennobling effect. The girls who are taught to play beautiful compositions of the masters, provided with amusement which serves not only as a pleasant pastime, but also uplifts the young women, diverting their minds from worthless and undignified subjects towards dignified themes. Similarly, embroidering, drawn work, lace-making and fancy work of all descriptions, in which the girls at the School are instructed, raises them from the hum drum grind or routine life into an existence sweetened by the consciousness of the ability to produce something symmetrical and beautiful. The girls who are trained to deftly play on the piano or other instruments, produce pleasure-giving symphonies: the young women who are invested with the skill to convert crude, ordinary materials into filmy laces, or embroidered or drawn work pieces, are cultured by the very operations they perform. These vocations invest them with the æsthetic sense, whose cultivation exercises a potent influence upon moral character. In view of this, the

## MAKING BAD CHILDREN GOOD

Iowa Industrial School devotes special attention to teaching music and fancy work to its pupils. Mr. Fitzgerald, the Superintendent of the School, is a skilled musician and a capable teacher of music. Under his direction, the girls become proficient in playing, amongst others the following classical compositions: Calif Von Bagdad, Mendellshohn's Midsummer Night's Dream, Peer-Gynt (Greig), Semeramide, William Tell, in fact, all of the well-known classics.

Every day that a girl spends in the institution gives her a liberal education in orderliness, punctuality and dispatch. She occupies a room by herself. She must sweep the floor, dust the furniture, make the bed and take general care of the room. She must perform this work as well as she can, and at a certain hour each day. The performance of these duties at a set time develops her in punctuality and love of tidiness. In the basement of each of the 4 cottages in which the girls reside are the kitchen, pantry, vegetable and fruit cellar and dining room. Here the young women is taught to bake, cook, can and serve—duties that fall to the lot of a woman, and which every girl should be taught to perform. During a single season the girls canned the following articles:—

Fruit butter, quarts	...	237
Catsup, quarts	...	151
Chili sauce, quarts	...	132
Chow chow, quarts	...	37
Canned gooseberries, quarts	...	411
Canned cherries, quarts	...	435



**SYMPHONY ORCHESTRA OF THE IOWA STATE INDUSTRIAL SCHOOL FOR GIRLS**  
Superintendent Fitzgerald, Conductor, on the right

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

Canned pieplant, quarts	...	201
Canned strawberries, quarts	...	1,106
Canned tomatoes, quarts	...	120
Mince meat, pounds	...	764
Picallilli, quarts	...	28
Pickles, cucumber, gallons	...	732. 5
Pickles, onions, gallons	...	3
Pickles, tomato, gallons	...	142
Preserved apples, quarts	...	8
Preserved musk melons, quarts	...	8
Preserved strawberries, quarts	...	74

The kitchen and dining room—the entire cottage, for the matter of that, are in charge of a matron who has great executive ability and is well-versed in domestic science. It is her duty to teach the girls entrusted to her care to do various household tasks as they ought to be done. 30 to 50 girls are consigned to a single cottage, and catering for this number develops ability in the girl so that when she leaves the institution she will not be daunted by the largeness of the problem of looking after an establishment. The matron also teaches her how to be saving, and how to apply the principles she is being taught to small families. In the laundry the girl is taught to wash on the board and iron by hand, for, without a doubt, this is what will be required of her when she leaves the institution. In this way the effort is made to impart a knowledge wide in range and intimate in detail, so that the girl will be able to master any circumstances that present themselves before her.



## MAKING BAD CHILDREN GOOD

Most of the girls who are committed to the institution are lazy and shiftless—work in the kitchen, dining room and laundry about the cottage, weans them from indolence and develops in them a spirit of industriousness. The young women lead a busy life during their residence at the school. Domestic school, and fancy work consume a good deal of their time. The girls are also taught stenography and dress-making. Between these various duties they do not find time to be mischievous, even though they may want to be bad.

Each week day the girls attend the graded school for 4 hours and spend another 4 hours doing some useful work. Each Sunday they go to Chapel services twice, once in the morning and once in the afternoon. These services are of a very uplifting character.

Girls between 9 and 18 years of age are committed to the institution by the Juvenile Court Judges or by the District, Police and Superior Judges in localities where there is no Juvenile Court. The School is, in no sense of the word, a jail. No vestige of the penitentiary is visible about the grounds. The girls are not locked up or handcuffed. They do not receive physical punishment of any kind. The worst corporal punishing given is paddling on the fingers. In case of serious insubordination, the Superintendent orders the girl to report herself to the trained nurse in charge of the hospital, who makes the refractory miss put on a nightgown and go to bed, in a room by herself. If she wants to read, she is given a Bible—nothing else. She





**STATE INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA**  
Dress Making Department

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

is not put on a bread and water diet. No other punishment is necessary. The laughter of the girls that drifts to her from the school rooms below and the dormitories near by, renders her miserably lonesome and penitent. The prison idea does not in any way enter into the domain of the institution; nor is a girl's record tainted because of her having been committed to the school. The Superintendent of the School believes that if you lock doors and erect walls, you give an inspiration to the girls to break the locks and scale the walls. If you trust them, they trust you. Therefore the girls at the Mitchellville Institution are in no manner confined or imprisoned.

The law provides that all girls committed to the Industrial School may be held there until they are 21 years of age ; they may be released on probation after the lapse of one year, provided they have shown evidence of improvement sufficient to warrant the Board in releasing them. A daily record of the conduct of each girl is carefully kept, and the record, together with the proficiency attained by her in the work assigned her to do, and her standing in studies, determines the period at which she may be released. All girls are compelled to complete their "conduct record" before they can be released. The necessary record consists of twelve "grades," one of which can be secured each month by straightforward, industrious, courteous, and moral deportment. Thus it will be seen that any girl who tries can complete the "conduct record" in one year, beginning the first of the following month after

## MAKING BAD CHILDREN GOOD

she enters the School. Very few girls, do, however, complete the record in one year, for the very simple reason that they do not deport themselves properly. After a girl has completed her "conduct record," she may be paroled by the Board of Control, the parole to take effect at the discretion of the Superintendent, at any time after it has been passed by the Board of Control. When suitable arrangements can be made with the girl's parents or friends for her return home, she is allowed to leave. Parents are notified when their girl is ready to go home. If they can give her employment or send her to some school and properly care for her, she will then be sent home. Girls who have no parents, or whose parents are incapable of properly caring for them, are placed in respectable homes by an agent employed by the State for this purpose. The Agent secures good positions for those who are old enough to work for their living.

Every girl is permitted to write one letter each month at the expense of the School, and is required to write it to her parents or nearest friends. Parents and friends are allowed to write to the girls as often as they may desire. Parents are permitted to visit their daughters once or twice a year, to remain one day only. No visiting is allowed on the Sabbath, nor on holidays such as Christmas, New Years, Memorial Day, Fourth of July and Thanksgiving.

By no means is it to be supposed that the girls lead the lives of nuns during their sojourn in the Industrial School. As has been mentioned before, they



**STATE INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA**

Seminary Family Girls in their sitting room, enjoying an evening playing dominoes, checkers, flinch  
faucy work and light reading

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

spend considerable time singing and playing the piano. Besides, they are permitted, in fact, encouraged, to have a great deal of innocent fun. The keynote of the treatment of the girls in the school seems to be not to embarrass them by giving them the impression that their commitment to the institution means punishment for them. On the contrary, the effort is made to have the girl look upon her stay in the school as a period of incalculable benefit to her; and when you come to examine it, their stay at the Industrial School is really the luckiest thing that could happen to them, since it spells their redemption from vice and waywardness and their conversion into respectable useful women. The girls are so wisely treated that not a single one of them has run away from the School for the last decade.

Why the School succeeds with its wards can be easily explained. The young woman is treated as a human being—not a fallen creature, but as one who has been sinned against by parents and people around her—and therefore one who deserves kind and considerate treatment. The girl must behave—this she knows and knows well—but she is treated like a lady with thought and deference. The whole effort of the School is to make the girl feel her divinity and render her proud of herself, so that she will not stoop to do anything low or disreputable. She is well clad. She eats good, substantial food. Here is the menu for one day, about the correctness of which I can personally vouch: Breakfast; bread, butter, coffee, sugar, milk, mush, oatmeal, pancakes, gems, syrup. Dinner; bread,

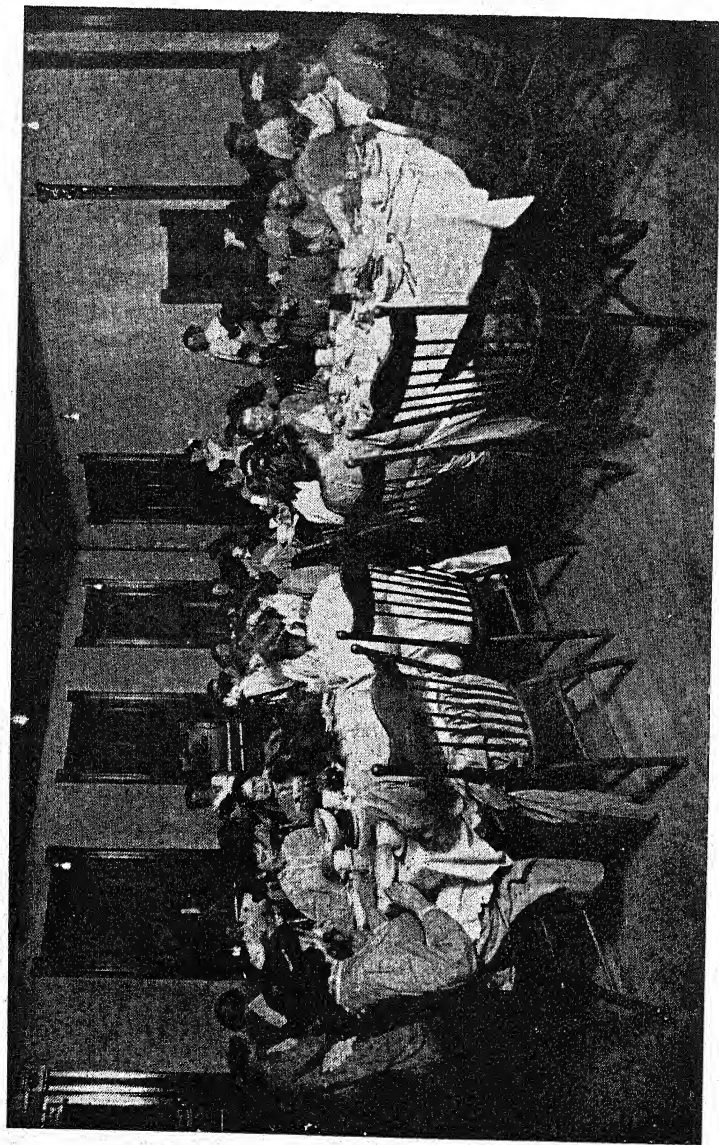
## MAKING BAD CHILDREN GOOD

butter, coffee, sugar, milk, tomatoes, peas, roast beef, onions, pudding, pie. Supper; bread, butter, chocolate, sugar, milk, salmon, bologna, pineapple, beets, syrup, cake.

The School has a symphony orchestra of fifty to sixty pieces, composed of inmates and conducted by the Superintendent, and the girls enjoy music played by it. During the winter they amuse themselves playing dominoes, flinch, croquet and chess. In summer they play base ball, lawn tennis, basket ball and croquet. There are four cottages in which the girls are distributed according to their age, size and moral character, and each "family" as the occupants of the cottage are termed, are supervised by a woman superintendent assisted by the domestic science teacher. Each family has a complete equipment of the various games. The girls also find amusement in reading the popular periodicals, a great variety of which are regularly received at the School. There are 1,800 books in the library. With the exception of novels, they are chiefly historical, biographical, travel, religious and reference books.

Most of the girls who come to the School are from poor families, although there are representatives from the houses of the boulevards. Some of these lassies have even gone to the length of poisoning people—entire families. There is not one amongst them who is not guilty of "incurability," of more or less virulent character. Their reformation is not an easy task. Ten years ago, just prior to the installation of the present Superintendent of the School, the inmates rioted.





**STATE INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA**  
Cottage Dining Room

## MAKING BAD GIRLS INTO RESPECTABLE WOMEN

They broke the china and the glass, and pandemonium was let loose in the institution, for the time being. The present management curbed the refractory spirit in the young women and now, chiefly due to the tact of the Superintendent, everything runs smoothly. But, as can be easily inferred, the smooth running of the School involves great wisdom and is an arduous task. The State allows only forty-eight rupees per capita per month, and within this meagre sum the girls must be clothed and fed, salaries paid to officers and various expenses that an enterprise of this kind entails are to be met. Some day when the rate-payers of Iowa understand the beneficence of the institution, the work for the uplift of the fallen juvenile, the State will be more munificent in maintaining such Schools. As it is, at Mitchellville a cottage has been built and is ready for occupancy ; but, through inability to find financial provision for a matron and teacher and for the necessary equipment, the Superintendent is unable to make use of the building, that he sorely needs. In some of the cottages the girls do not have rooms to themselves, but sleep in dormitories. This appealed to me, while visiting the School, as a feature that would pull down the pride of the girls. "Why don't you have at least partitions to give them some privacy?" I suggested to the Superintendent, and he confessed his inability to adopt the suggestion, whose saneness and practicability he readily conceded, because of lack of funds.

When the limited resources of the School and also the kind of timber that is sent to the institution to be



## MAKING BAD CHILDREN GOOD

straightened, is considered, it must be readily conceded that the Industrial School for girls at Mitchellville is signally successful. But for the institution, every one of these young women would drift into jails and be an expense to the tax-payers; whereas, the work of the School succeeds in reclaiming almost every one of them and training them to live happy, useful lives, instead of feeding on society and poisoning humanity while tearing at its vitals. Eight per cent. of the girls lead worthy lives after leaving the Industrial School. Not one of the graduates from the Institution, for at least 10 years, has been known to have been committed to jail. Most of the young women departing from the School enter the realm of matrimony. They settle down and are good wives. Some work as domestics others find employment as nurses, music teachers and stenographers. One of the Industrial School girls has organised an orchestra in Chicago and is earning at least Rs. 450 a month. The violin teacher in the School to day is an ex-inmate, and so is the girl who will be the pianist in a few weeks time.

## CHAPTER VI

### THE LEGAL FABRIC OF THE JUVENILE COURT

Having discussed the basic principles and administrative methods of the Juvenile Court, and the working of the institutions where bad boys and girls are made good, the present chapter will confine itself strictly to the presentation of the legal aspect of the children's tribunal. Unlike the topics treated of in the preceding chapters, the subject in hand is dry and uninteresting. The article is nothing but a reprint of the text of the various acts. While this is true, nevertheless the intelligent reader ought to bear in mind the fact that the present chapter, though dry, is by no means the least in importance.

The Juvenile Court laws of the State of Colorado, good and far-reaching as they are, have been considerably improved by Judge Lindsay in the draft of a law which he recently prepared at the request of the State Commissioner of Charities and Corrections of the newly-formed State of the American Union—Oklahoma. Before presenting the text of the law, it will be advisable to add that it is not to be inferred that these regulations, in their entirety and as they are presented here, will

## MAKING BAD CHILDREN GOOD

do for India. These are forms of bills suggested for establishing what is known as the work of the Juvenile Courts. It will be understood, of course, that these bills may have to be materially modified in details with reference to the particular provinces of India in which they are adopted.

The bills that follow are suggested as the most recent forms of bills defining juvenile delinquency and dependency, and establishing the probation system for the correction and protection of children. Where it is necessary some provisions as to certain details may be modified or changed to conform to different conditions in different jurisdictions.

### JUVENILE COURT LAW SUGGESTED FOR THE STATE OF OKLAHOMA.

A Bill for an Act Relating to Children Who Are Now or May Hereafter Become Dependent, Neglected or Delinquent, to Define These Terms, and to Provide for the Treatment, Control, Maintenance, Protection, Adoption and Guardianship of the Person of Such Children.

Be it enacted by the People of the State of Oklahoma:

*Section 1. Definition.*—That all persons under the age of twenty-one (21) years, shall, for the purpose of this Act only, be considered wards of this state and their persons shall be subjected to the care, guardianship and control of the court as hereinafter provided.

For the purpose of this Act, the words "dependent child" and "neglected child" shall mean any male child who while under the age of seventeen years or

## THE LEGAL FABRIC OF THE JUVENILE COURT

any female child who while under the age of eighteen years, for any reason, is destitute, homeless or abandoned ; or dependent upon the public for support ; or has not proper parental care or guardianship ; or habitually begs or receives alms ; or is found living in any house of ill-fame or with any vicious or disreputable person ; or has a home which by reason of neglect, cruelty or depravity, on the part of its parents, guardian or any other person in whose care it may be, is an unfit place for such a child ; and any child who while under the age of ten (10) years is found begging, peddling or selling any articles or singing or playing any musical instrument for gain upon the street or giving any public entertainment or accompanies or is used in the aid of any person so doing.

The words "delinquent child" shall mean any male child who while under the age of seventeen years or any female child who while under the age of eighteen years, violates any law of this state ; or is incorrigible, or knowingly associates with thieves, vicious or immoral persons ; or without just cause and without the consent of its parents, guardian or custodian absents itself from its home or place of abode, or is growing up in idleness or crime ; or knowingly frequents or visits any policy shop or place where any gaming device is operated ; or patronizes, visits or frequents any saloon or dram shop where intoxicating liquors are sold ; or patronizes or visits any public pool room where the game of pool or billiards is being carried on for pay or hire ; or who wanders about the streets in the night time without

## MAKING BAD CHILDREN GOOD

being on any lawful business or lawful occupation ; or habitually wanders about any railroad yards or tracks or jumps or attempts to jump into any moving train; or enters any car or engine without lawful authority, or writes or uses vile, obscene, vulgar profane or indecent language or smokes cigarettes in any public place or about any school house ; or is guilty of indecent, immoral or lascivious conduct; any child committing any of these acts shall be deemed a delinquent child and when proceeded against such proceeding shall be on behalf of the State in the interest of the child and the State, with due regard to the rights and duties of parents and others, by petition to be filed by any reputable person, and to that end it shall be dealt with, protected and cared for in the probate or chancery court as a ward of the State in the manner hereinafter provided.

A disposition of any child under this Act or any evidence given in such cause, shall not, in any civil, criminal or other cause or proceeding whatever in any court, be lawful or proper evidence against such child for any purpose whatever, except in subsequent cases against the same child under this Act ; nor shall the name of any such child in connection with any proceedings under this Act, be published in any newspaper, without a written order of the court. The word "child" or "children" may be held to mean one or more children and the word "parent" or "parents" may be held to mean one or both parents, when consistent with the intent of this Act. The word "association" shall include any association, institution or corporation

## THE LEGAL FABRIC OF THE JUVENILE COURT

which include in their purposes the care or disposition of children, coming within the meaning of this Act.

*Section 2. Jurisdiction.*—The county courts of the several counties in this State shall have original jurisdiction in all cases coming within the terms of this Act. In all trials under this Act any person interested therein may demand a jury of six or twelve persons or the judge of his own motion may order a jury of the same number to try the case.

*Section 3. Juvenile Court.*—The findings of the court shall be entered in a book or books to be kept for that purpose, and known as the "Juvenile Record," and the court may for convenience be called the "Juvenile Court."

*Section 4. Petition to the Court*—Any reputable person, being a resident of the county, may file with the clerk of the court having jurisdiction of the matter, a petition in writing setting forth that a certain child, naming it, within his county, is either dependent, neglected or delinquent as defined in Section 1 hereof; and that it is for the interest of the child and this state that the child be taken from its parent, parents, custodian or guardian and placed under the guardianship of some suitable person to be appointed by the court; and that the parent, parents, custodian or guardian of such child, are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate, correct, control or discipline such child, or that the parent, parents, guardian or custodian consent that such child shall be taken from them.

## MAKING BAD CHILDREN GOOD

The petition shall also set forth either the name, or that the name is unknown to petitioner (a) of the person having the custody of such child ; and (b) of each of the parents or the surviving parent of a legitimate child ; or of the mother of an illegitimate child ; or (c) if it allege that both such parents are or such mother is dead, then of the guardian, if any, of such child ; or (d) if it allege that both such parents are or that such mother is dead and that no guardian of such child is known to petitioner. All persons so named in such petition shall be made defendants by name and shall be notified of such proceedings by summons if residents of this state in the same manner as is now or may hereafter be required in chancery proceedings by the laws of this State except only as herein otherwise provided.

All persons, if any, who or whose names are stated in the petition to be unknown to petitioner, shall be deemed and taken as defendants by the name or designation of "all whom it may concern." The petition shall be verified by affidavit, which affidavit shall be sufficient upon information and belief. Process shall be issued against all persons made parties by the designation of "all whom it may concern" by such description, and notice given by publication as is required in this Act shall be sufficient to authorize the court to hear and determine the suit as though the parties had been sued by their proper names.

*Section 5. Summons.*—The summons shall require the person alleged to have the custody of such child to appear with the child at the time and place stated in

## THE LEGAL FABRIC OF THE JUVENILE COURT

the summons ; and shall also require all defendants to be and appear and answer the petition on the return day of the summons. The summons shall be made returnable at any time within twenty days after the date thereof and may be served by the sheriff, or by any duly appointed probation officer, even though such officer be the petitioner. The return of such summons with indorsement or service by the sheriff or by such probation officer in accordance herewith shall be sufficient proof thereof.

Whenever it shall appear from the petition or from affidavit filed in the cause that any named defendant resides or hath gone out of the State, or on due inquiry cannot be found, or is concealed within this State or that his place of residence is unknown so that process cannot be served upon him, or whenever any person is made defendant under the name or designation of "all whom it may concern," the clerk shall cause publication to be made once in some newspaper of general circulation published in his county, and if there be none published in his county, then in a newspaper published in the nearest place to his county in this State, which shall be substantially as follows :

A, B, C, D, etc. (here giving the names of such named defendants, if any), and to "all whom it may concern" (if there be any defendant under such designation).

Take notice that on the.....day of.....  
A. D. 19....., petition was filed by.....in the  
.....court of.....county to have a  
certain child, named.....declared a (dependent



## MAKING BAD CHILDREN GOOD

or delinquent) and to take from you the custody and guardianship of said child (and if the petition prays for the appointment of a guardian with power to consent to adoption, add and to give said child out for adoption).

Now, unless you appear within twenty days after the date of this notice and show cause against such application, the petition shall be taken for confessed and a decree granted.

E. F. Clerk.

Dated (the date of publication).

And he shall also within ten days after the publication of such notice send a copy thereof by mail, addressed to such defendants whose place of residence is stated in the petition and who shall not have been served with summons. Notice given by publication as is required by this Act shall be the only publication notice required either in the case of residents, non-residents or otherwise. The certificate of the clerk that he has sent such notice in pursuance of this section shall be evidence thereof. Every defendant who shall be duly summoned shall be held to appear and answer either in writing or orally in open court on the return day of the summons or if such summons shall be served less than one day prior to the return day, then on the following day. Every defendant who shall be notified by publication as herein provided shall be held to appear and answer either in writing or orally in open court within twenty days after the date of the publication notice. The answer shall have no greater weight as evidence, than

## THE LEGAL FABRIC OF THE JUVENILE COURT

the petition. In default of an answer at the time or times herein specified or at such further time as by order of court may be granted to a defendant, the petition may be taken as confessed.

If the person having the custody or control of the child shall fail without reasonable cause to bring the child into court, he may be proceeded against as in case of contempt of court. In case the summons shall be returned and not served upon the person having the custody or control of such child or such person fails to obey the same and in any case when it shall be made to appear to the court by affidavit, which may be on information and belief that such summons will be ineffectual to secure the presence of the child, a warrant may be issued on the order of the court either against the parents or either of them, or guardian or the person having the custody or control of the child or with whom the child may be or against the child itself to bring such person into court. On default of the custodian of the child or on his appearance or answer, or on the appearance in person of the child in court with or without the summons or other process and on the answer, default or appearance or written consent to the proceedings of the other defendants thereto or as soon thereafter as may be, the court shall proceed to hear evidence. The court may, in any case when the child is not represented by any person, appoint some suitable person to act on behalf of the child. At any time after the filing of the petition and pending the final disposition of the case, the court may continue the hearing

## MAKING BAD CHILDREN GOOD

from time to time and may allow such child to remain in the possession of its custodian or in its own home subject to the friendly visitation of a probation officer, or it may order such child to be placed in the custody of a probation officer of the court, or of any suitable person appointed by the court, or to be kept in some suitable place provided by the city or county authorities.

*Section 6.* Probation officers.—The county courts of the several counties in this State shall have authority to appoint any number of discreet persons of good moral character to serve as probation officers during the pleasure of the court; said probation officers to receive no compensation from the county treasury except as herein provided. It shall be the duty of the clerk of the court, if practicable, to notify the said probation officer when any child is to be brought before the court; it shall be the duty of such probation officer to make investigation of such case; to be present in court to represent the interests of the child when the case is heard; to furnish to such court such information and assistance as the court or judge may require, and to take charge of any child before and after the trial as may be directed by the court. The number of probation officers to receive compensation from the county, named and designated by the county court, shall be as follows: In counties having a population of over thirty thousand, two probation officers, one of whom shall be appointed and designated as chief probation officer, who shall receive a salary of not exceeding twelve hundred dollars (\$1,200.00) per year; and one to

## THE LEGAL FABRIC OF THE JUVENILE COURT

be designated as assistant probation officer, who shall receive a salary of not exceeding nine hundred dollars (\$900.00) per year, and expenses may be allowed the chief probation officer in a sum not exceeding two hundred dollars (\$200.00) per year; in counties having a population of over fifteen thousand and less than thirty thousand, one probation officer may be appointed at a salary of not to exceed twelve hundred dollars (\$1,200.00) per year and expenses of probation work may be allowed by the county in a sum not to exceed two hundred dollars (\$200.00) per year.

In all counties of over fifteen thousand population probation officers, receiving compensation from the county, shall be appointed by the Judge of the County Court, and the said salary or expenses shall be paid in monthly instalments from the county treasury. In any county of less than fifteen thousand population, one probation officer, at a salary of not to exceed nine hundred dollars (\$900.00) per annum, to be paid as provided for probation officers in other counties, may be appointed by the County Judge, whenever in the opinion of the County Judge, the County Superintendent of Schools and a majority of the Board of County Commissioners of such county it shall be necessary to care for the dependent and delinquent children of the county. Any County Judge appointing such probation officer to receive a salary or other compensation from the county, provided for under this Act, shall transmit such appointment to the Superintendent of Schools of

---

\* A dollar is Rs. 3, roughly speaking.

## MAKING BAD CHILDREN GOOD

the county in which such appointment is made, the State Superintendent of Public Instruction and the State Commissioner of Charities and Corrections, who shall constitute a Board to investigate the competency of such person so appointed to act as a probation officer, and it shall be the duty of a majority of said board to approve or disapprove of such appointee, within thirty days after submission thereof by the said county court and a failure to act thereon within such time shall constitute an approval of such appointment ; if a majority of such board are of the opinion that such appointee does not possess the qualifications for a probation officer, they shall notify the court of their conclusions within thirty days of the submission of such appointment to the respective members thereof, whereupon it shall be the duty of the County Judge to withdraw such appointment and appoint someone who shall receive the approval of the said board.

Probation officers receiving a salary or other compensation from the County, provided for by this Act, are hereby vested with all the power and authority of police or sheriffs to make arrests and perform any other duties ordinarily required by policemen and sheriffs which may be incident to their office or necessary or convenient to the performance of their duties ; provided that other probation officers may be vested with like power and authority upon a written certificate from the County Judge that they are persons of discretion and good character, and that it is the desire of the court to vest them with all the power and authority

## THE LEGAL FABRIC OF THE JUVENILE COURT

conferred by law upon probation officers receiving compensation from the county.

In counties of over thirty thousand population, whenever in the opinion of the Judge of the County Court, the Board of County Commissioners and the Superintendent of Schools, additional probation officers to those allowed by law are necessary for the care of dependent and delinquent children, not to exceed two assistant probation officers, in addition to the one provided for herein, may be appointed in the manner provided by this Act, at a salary not to exceed nine hundred dollars (\$900.00) per year.

Salaries or compensation of paid probation officers permitted by this Act shall be fixed by the County Judge, not to exceed the sums herein mentioned, and any bills for expenses, not exceeding the sums herein provided for, shall be certified to by the County Judge as being necessary in and about the performance of the duties of probation officer or officers. The appointment of probation officers and the approval thereof as to the qualifications of such officers by the board herein designated, shall be filed in the office of the Clerk of the County Court. Probation officers shall take an oath such as may be required of other county officers to perform their duties and file it in the office of Clerk of the County Court.

Nothing herein contained, however, shall be held to limit or abridge the power of the County Judge to appoint any number of persons as probation officers, whom said Judge may see fit and who may be willing

## MAKING BAD CHILDREN GOOD

to serve without pay from the county for such services as probation officers.

*Section 7. Dependent and Neglected Children.*— If the court shall find any male child under the age of seventeen years (17) or any female child under the age of eighteen years (18) to be dependent or neglected within the meaning of this Act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer, or to report to the court of probation officer from its home or school at such times as the court may require. And if parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate, correct or discipline such child and that it is for the interest of such child and of the people of this state that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child, some reputable citizen of good moral character and order such guardian to place such child in some suitable family home or other suitable place, which such guardian may provide for such child. Or the court may enter an order committing such child, to some suitable state institution, organized for the care of dependent or neglected children, or to some training school or industrial school or childrens' home finding society or to some association embracing on its objects the purpose of caring for or obtaining homes for neg-

## THE LEGAL FABRIC OF THE JUVENILE COURT

lected or dependent children, which association shall have been accredited as hereinafter provided.

*Section 8. Guardianship.*—In every case where such child is committed to an institution, or association, the court shall appoint the president, secretary or superintendent of such institution or association, guardian over the person of such child and shall order such guardian to place such child in such institution or with such association, whereof he is such officer and to hold such child, care for, train and educate it subject to the rules and laws that may be in force from time to time governing such institution or association.

*Section 9. Delinquent Children.*—If the Court shall find any male child under the age of seventeen years or any female child under the age of eighteen years to be delinquent within the meaning of this Act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer, such child to report to the court or probation officer with such record of its conduct in its home or school as the court may require as often as may be required, and if the parent, parents, guardian or custodian consent thereto, or if the court shall further find either that the parent, parents, guardian, or custodian are unfit or improper guardians or are unable or unwilling to care for, protect, educate or discipline such child and shall further find that the parent, parents, guardian or custodian are unfit or improper guardians or are unable or unwilling to care for, protect, educate or discipline such child and shall further find that it is for the interest



## MAKING BAD CHILDREN GOOD

of such child and of the people of this state that such child be taken from the custody of its parent, parents, custodian or guardian, the court may appoint some proper person or probation officer, guardian over the person of such child and permit it to remain at its home, or order such guardian to cause such child to be placed in a suitable family home, or cause it to be boarded out in some suitable family home. in case provision is made by voluntary contribution or otherwise for the payment of the board ; or the court may commit such child to any institution incorporated under the laws of this state to care for delinquent children, or to any institution that has been or may be provided by the state, county, city, town or village suitable for the care of delinquent children, including a detention home or school, or to some association that will receive it, embracing in its objects the care of neglected, dependent or delinquent children and which has been duly accredited as hereinafter provided. In every case where such child is committed to an institution or association, the court shall appoint the president, secretary or superintendent of such institution or association, guardian over the person of such child and shall order such guardian to place such child in such institution or with such association, whereof he is such officer, and to hold such child, care for, train and educate it subject to the rules and laws that may be in force, from time to time governing such institution or association.

*Section 10.* The court may in its discretion in any

## THE LEGAL FABRIC OF THE JUVENILE COURT

case of a delinquent child permit such child to be proceeded against in accordance with the laws that may be in force in this state governing the commission of crimes or violation of city, village, or town ordinances; in such case the petition filed under this Act shall be dismissed.

*Section 11.* The court may, when the health or condition of any child found to be dependent, neglected or delinquent, requires it order the guardian to cause such child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution, which will receive it for like purposes, without charge to the public authorities.

*Section 12.* Any child found to be dependent, neglected or delinquent as defined in this Act, and awarded by the court to a guardian, institution or association, shall be held by such guardian, institution or association, as the case may be, by virtue of the order entered of record in such case, and the clerk of the court shall issue and cause to be delivered to such guardian, institution or association a certified copy of such order of the court, which certified copy of such order shall be proof of the authority of such guardian, institution or association in behalf of such child, and no other process need issue to warrant the keeping of such child. The guardianship under this Act shall continue until the court shall by further order otherwise direct but not after such child shall have reached the age of twenty-one (21) years.

*Section 13.* The court may, from time to time, cite

## MAKING BAD CHILDREN GOOD

into court the guardian, institution or association to whose care any dependent, neglected or delinquent child has been awarded, and require him or it to make a full, true and perfect report as to his or its doings in behalf of such child ; and it shall be the duty of such guardian, institution or association, within ten days after such citation, to make such report either in writing verified by affidavit, or verbally under oath in open court, or otherwise as the court shall direct ; and upon the hearing of such report, with or without further evidence, the court may, if it sees fit, remove such guardian and appoint another in his stead, or take such child away from such institution or association and place it in another, or restore such child to the custody of its parents or former guardian or custodian.

*Section 14.* Transfers from Justice and Police Magistrates.—When in any county where a court is held as provided in section 2 of this Act, a male child under the age of seventeen years or a female child under the age of eighteen years is arrested with or without warrant such child may, instead of being taken before a justice of the peace or police magistrate, be taken directly before such court; or if the child is taken before a justice of the peace or police magistrate, such justice or magistrate shall inquire into such case, and unless it be of the opinion that no sufficient foundation exists for the charge of dependency or delinquency, it shall be the duty of such justice of the peace or police magistrate to transfer the case to the county court, and the officer having the child in charge to take the child

## THE LEGAL FABRIC OF THE JUVENILE COURT

before such court, and in any case the county court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case, the court shall require notice to be given and investigation to be made as in other cases under this Act, and may adjourn the hearing from time to time for that purpose.

*Section 15. Children Under Twelve Years Not to Be Committed to Jail.*—No court or magistrate shall commit a child under twelve (12) years of age to a jail or police station, but if such child is unable to give bail it may be committed to the care of sheriff, police officer or probation officer, who shall keep such child in some suitable place provided by the city or county outside of the enclosure of any jail or police station. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child in the same building with such adult convicts, or to confine such child in the same yard or enclosure with such adult convicts, or to bring such child into any yard or building in which adult convicts may be present.

In counties of over thirty thousand population it shall be the duty of the proper authorities to provide and maintain at public expense a house separated and removed from any jail or lock-up, to be in charge of a matron or other person of good, moral character, wherein all children within the provisions of this Act shall, when necessary before or after trial, be detained either for securing the attendance of such child at any

## MAKING BAD CHILDREN GOOD

hearing or trial of any cause, or for such disciplinary purposes as may seem necessary to the court for the best interests of said child and of the State.

Any child within the provisions of this Act, informed against or regarding which a petition has been filed, or for any purpose taken into custody, shall, at any time before it is tried and adjudged to be delinquent, be entitled, by any friend or parent offering sufficient surety, to give bond or other security for its appearance at any hearing or trial of such case, as such right is given to persons informed against for crime ; and the court may in any such case, upon the request of said child or its parent or person representing it, appoint counsel to appear and defend on behalf of any such child, such counsel to receive no pay from the county.

*Section 16. Agents of Juvenile Reformatories.*—It shall be the duty of the board of managers, trustees or such authorities as may be vested by law with the control or management of any State institution to which juvenile delinquents may be committed by the courts of this State, to maintain an agent of such institution, whose duty it shall be to examine the homes of children paroled from such institutions, for the purpose of ascertaining and reporting to said institutions whether they have suitable homes ; to assist children paroled or discharged from such institutions in finding employment and to maintain a friendly supervision over paroled inmates during the continuance of their parole ; such agent shall hold office subject to the pleasure of the board or other authority having charge of said institu-

## THE LEGAL FABRIC OF THE JUVENILE COURT

tion, making the appointment, and shall receive such compensation as such board or authorities controlling such institution may determine out of any funds appropriated for such institution which may be applicable thereto.

*Section 17.* Supervision of State Commissioner of Charities and Corrections.—All institutions or associations receiving children under this Act shall be subject to the same visitation, inspection and supervision by the State Commissioner of Charities and Corrections as are other charitable or correction institutions of this State, and it shall be the duty of the said Commissioner of Charities and Corrections to pass annually upon the fitness of every such association as may receive, or desire to receive children under the supervision of this Act and every such association shall annually at such time as the said Commissioner of Charities and Corrections may direct, make report thereto, showing its condition, management and competency to adequately care for such children as are or may be committed to it, and such other facts as said Commissioner may require, and upon said Commissioner being satisfied that such association or institution is competent, and has adequate facilities to care for such children, the Commissioner shall issue to the same a certificate to that effect, which certificate shall continue in force for one year, unless sooner revoked by said Commissioner, and no child shall be committed to any such institution or association which shall not have received such certificate within eighteen months next preceding the commitment. The

## MAKING BAD CHILDREN GOOD

court may, at any time, require from any association receiving or desiring to receive children under the provisions of this Act, such reports, information and statements as the Judge shall deem proper or necessary for his action, and the court shall in no case be required to commit a child to any institution or association whose standing, conduct or care of children, or ability to care for the same, is not satisfactory to the court.

*Section 18. Incorporation of Association.*—No association whose objects embrace the caring for dependent, neglected or delinquent children shall hereafter be incorporated unless the proposed articles of incorporation shall first have been submitted to the examination of the State Commissioner of Charities and Corrections and the Secretary of State shall not issue a certificate of incorporation unless there shall first be filed in his office the certificate of said State Commissioner of Charities and Corrections that the said Commissioner has examined the said articles of incorporation and that, in his Judgment, the incorporators are reputable, reliable and responsible persons, the proposed work is needed and the incorporation of such association is desirable for the public good and the welfare of dependent, neglected or delinquent children, amendments proposed to the articles of incorporation of any such association shall be submitted in like manner to the State Commissioner of Charities and Corrections, and the Secretary of State shall not record such amendments or issue his certificate therefore unless there shall first be filed in his office the certificate of said State

## THE LEGAL FABRIC OF THE JUVENILE COURT

Commissioner of Charities and Corrections that the Commissioner has examined the said amendment and that the association in question is, in the judgment of the Commissioner, performing in good faith the work undertaken by it, and that the said amendment is, in the judgment of the Commissioner, a proper one and for the public good and in the interest of neglected, dependent or delinquent children.

*Section 19. Order Relating to Adoption.*—Whenever the petition filed, as is provided in Section 4 hereof, or a supplemental petition filed at any time after the appointment of the guardian shall pray that the guardian appointed or to be appointed shall be authorized to consent to the legal adoption of the child, and the court upon the hearing shall find that it is to the best interests of such child that the guardian be given such authority, the court may, in its order appointing such guardian, empower him to appear in court where any proceedings for the adoption of such child may be pending, and to consent to such adoption; and such consent shall be sufficient to authorize the court where the adoption proceedings are pending to enter a proper order or decree of adoption without further notice to, or consent by the parents or relatives of such child; provided however, that before entering such order, the court shall find from the evidence that (1) the parents or surviving parent of a legitimate child or the mother of an illegitimate child, or if the child has no parents living the guardian of the child, if any, or if there is no parent living and the child has no guardian or the guardian is



## MAKING BAD CHILDREN GOOD

not known to petitioner, then a known, near relative of the child, if any there be, consents to such order ; or, (2) that one parent consents and the other is unfit for any of the reasons hereinafter specified to have the child, or that both parents are or that the surviving parent or the mother of an illegitimate child is so unfit for any such reasons—the grounds of unfitness being (a) depravity, (b) open and notorious adultery or fornication, (c) habitual drunkenness for the space of one year prior to the filing of petition, (d) extreme and repeated cruelty to the child, (e) abandonment of child or (f) desertion of the child for more than six (6) months next preceding the filing of the petition, and (3) that such child, if of the age of fourteen years or over, consents to such order.

*Section 20. Foreign Corporations.*—No association which is incorporated under the laws of any other State than the State of Oklahoma shall place any child in any family home within the boundaries of the State of Oklahoma either with or without indenture or for adoption, unless the said association shall have furnished the State Commissioner of Charities and Corrections with such guarantee as they may require that no child shall be brought into the State of Oklahoma by such society or its agents, having any contagious, or incurable disease, or having any deformity or being of feeble mind, or of vicious character, and that said association shall promptly receive and remove from the State any child brought into the State of Oklahoma by its agent, which shall become a public charge within the period of five

## THE LEGAL FABRIC OF THE JUVENILE COURT

(5) years after being brought into this State. Any person who shall receive, to be placed in a home, or shall place in a home, any child in behalf of any association, incorporated in any other State than the State of Oklahoma, which shall not have complied with the requirements of this Act shall be imprisoned in the county jail not more than thirty days, or fined not less than dollars 5 or more than one hundred (100) dollars, or both, in the discretion of the court.

*Section 21. Religious Preference.*—The court in committing children shall place them as far as practicable in the care and custody of some individual holding, the same religious belief as the parents of said child, or with some association which is controlled by persons of like religious faith of the parents of the said child.

*Section 22. County Boards of Visitors.*—The county judge of each county may appoint a board of six reputable inhabitants, who will serve without compensation, to constitute a board of visitation, whose duty it shall be to visit, as often as once a year, all institutions, societies and associations receiving children under this Act; said visits shall be made by not less than two of the members of the board, who shall go together or make a joint report; the said board of visitors shall report to the court, from time to time, the condition of children received by or in the charge of such associations and institutions, and shall make an annual report to the State Commissioner of Charities and Correction in such form as the Commissioner may prescribe.

## MAKING BAD CHILDREN GOOD

*Section 23.* Officers of Courts.—It shall be unlawful for any court clerk or other person to tax or collect, or for any county to pay any fees whatever which may be permitted by any law to be taxed or collected for the benefit of any Court officer or person for any case concerning any child coming within the provisions of this Act for violating any law of this State, unless such child shall be proceeded against under the provisions and in accordance with the purpose of this Act, except in capital cases or where the courts shall direct a proceeding under the criminal code, as provided in section 10 of this Act, or where a case has been instituted before a justice of the peace or police magistrate, who shall duly comply with the terms of section 14 of this Act.

*Section 24.* Reports of the Juvenile Court.—Between the first and fifteenth days of September of each year, the clerks of the county courts shall submit to the State Commissioner of Charities and Corrections a report in writing, upon blanks to be furnished by said Commissioner, showing number and disposition of neglected, dependent or delinquent children brought before such court, together with such useful information regarding such cases and the parentage of such children and the character of their dependency or delinquency as may be reasonably obtained at the trials thereof, and which may be required by the said Commissioner; provided that the name or identity of any such child or parent shall not be disclosed in such report.

*Section 25.* Construction of the Act.—This Act shall be liberally construed to the end that its purpose may

## THE LEGAL FABRIC OF THE JUVENILE COURT

be carried out, to-wit that the care, custody and discipline of the child shall approximate as nearly as may be that which should be given by its parents, and in all cases of dependency where it can properly be done, that the child shall be placed in an approved family home, and become a member of a home and family by legal adoption or otherwise, and in cases of delinquency that as far as practicable any delinquent child shall be treated, not as a criminal, but as misdirected and misguided and needing aid, encouragement and assistance, and if such child cannot be properly cared for and corrected in its own home, or with the assistance and help of the probation officers, then, that it may be placed in a suitable institution where it may be helped and educated and equipped for industrial efficiency and useful citizenship.

*Section 26. Support of Children.*—If it shall appear, upon the hearing of the cause that the parent, parents, or any person or persons named in such petition who are in law liable for the support of such child, are able to contribute to the support of such child, the court shall enter an order requiring such parent, parents or other persons to pay to the guardian so appointed or to the institution to which such child may be committed, a reasonable sum from time to time for the support, maintenance or education of such child, and the court may order such parent, parents or other persons to give reasonable security for the payment of such sum or sums and upon failure to pay, the court may enforce obedience to such order by proceeding as for contempt

## MAKING BAD CHILDREN GOOD

of court. The court may, on application and on such notice as the court may direct from time to time, make such alterations in the allowance as shall appear reasonable and proper.

*Section 27. Order Relating to Support.*—If the person so ordered to pay for the support, maintenance or education of a dependent, neglected or delinquent child shall be employed for wages, salary or commission, the court may also order that the sum to be paid to him shall be paid to the guardian or institution out of his wages, salary or commission and that he shall execute an assignment thereof *pro tanto*. The court may also order the parent or the person so ordered to pay the sum of money for the support, maintenance or the education of a child, from time to time to make discovery to the court as to his place of employment and amount earned by him. Upon his failure to obey the orders of court he may be punished as for contempt of court.

*Section 28. Guardianship of Person.*—Nothing in this Act shall be construed to give the guardian appointed under this Act the guardianship of the estate of the child or to change the age of minority for any other purpose except the custody of the child.

*Section 29. Appeals.*—Cases under this Act may be reviewed by writ of error to the Supreme Court.

*Section 30. Population of Counties.*—In construing the provisions of this Act, the following counties shall be deemed to have a population exceeding thirty thousand, to-wit:.....

## THE LEGAL FABRIC OF THE JUVENILE COURT

and the following counties shall be construed to have a population exceeding fifteen thousand :.....

*Section 31. Contempt of Court.*—Any person who shall interfere with the direction or disposition of any child under any order of the Court concerning any child made in pursuance of the provisions of this Act, or with any probation or other officer of the court in carrying out the directions of the court under any such order, shall be held to be in contempt of court and subject to punishment as for contempt of court.

*Section 32. Validity of Acts.*—The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

## CHAPTER VII

### ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

The Juvenile Court, as has elsewhere been pointed out, is no longer an experiment, whose beneficence is yet to be tested. It is an institution which has been tried and found to be of incalculable benefit to humanity. The draft of the children's Court Law, presented in the preceding chapter is the result of a careful study of the laws enacted in the various states of the United States of America. But this law copious and far-reaching as it is, needs some adjuncts, if the best is to be got out of it—if the proper correction and protection of children is to be ensured. For instance, your efforts at reclaiming the child cannot but prove positively futile if the parents continue to send the juvenile to buy liquor or tobacco for them, and thus expose it to many temptations.

A boy or girl may be actually taught wrong by his own parents or by some other adult, and unless the Juvenile Court Judge has some sort of jurisdiction over these parents and adults, he would be powerless to permanently redeem the child. For this reason, it is absolutely necessary to arm the Juvenile Judge with

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

limited jurisdiction over the adult. Such an adjunct, originally suggested for the State of Oklahoma, is reproduced below, with the hope that it may provide a working pattern by which India can shape a law suited to its requirements.

### I.—JUVENILE COURT LAWS SUGGESTED FOR THE STATE OF OKLAHOMA

#### RESPONSIBILITY OF PARENTS AND ADULTS

*A Bill for an Act to define contributory dependency and contributory delinquency and to make the same a misdemeanour and to provide for the punishment of persons guilty thereof.*

Be it enacted by the people of the State of Oklahoma :—

*Section 1. Definition.*—Any person who shall by any act cause, encourage or contribute to the dependency or delinquency of a child, as these terms with reference to children are defined by the statutes of this State, or who shall for any cause be responsible therefor, shall be guilty of a misdemeanour, and upon trial and conviction thereof, shall be fined in a sum not to exceed five hundred dollars or imprisoned in the County Jail for a period not exceeding one year, or by both such fine and imprisonment. When the charge against any person under this Act concerns the dependency of a child or children, the offence for convenience may be termed contributory dependency and when it concerns the delinquency of a child or children for convenience be termed contributory delinquency.



## MAKING BAD CHILDREN GOOD

*Section 2. Suspension of Sentence*—The Court may suspend any sentence, stay or postpone the enforcement of execution, or release from custody any person found guilty in any case under this Act upon such conditions as shall be imposed by the court in accordance with the provisions of this Act.

*Section 3. Conditions of Suspended Sentence.*—

(a) Such conditions may include the following : Any person found guilty under this Act of contributory dependency may be required to furnish a good and sufficient bond to the people of the State of Oklahoma in such penal sum, as the court shall determine, not exceeding one thousand dollars, conditioned for the payment of such amount as the court may order not exceeding twenty dollars per month for the support, care and maintenance of the child to whose dependency such person has contributed ; such sum to be expended under the directions and orders of the court for the purposes mentioned.

(b) The court may permit any child to remain in the custody of the person found guilty by this Act of contributing to its dependency, under such suspended sentence, upon such conditions for the treatment and care of such child as may seem to the court to be for its best welfare, or as may be calculated to secure obedience to the law or to remove the cause of such dependency or neglect, and while such conditions are accepted and complied with by any such person, such sentence may remain suspended subject to be enforced upon the violation or any of the conditions imposed by

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

the court ; and such bond may be forfeited upon a failure to comply with any such conditions, as well as upon the failure to pay any amount required for the maintenance of such child.

*Section 4. Conditions of Bond.*—As a part of the conditions of any such bond mentioned in Section 3 hereof it shall be understood that it shall not be necessary to bring a separate suit to recover the penalty of any such bond which has become forfeited, but the court may cause a citation or summons to issue to the surety or sureties thereon, requiring that he or they appear at a time named by the court, which time shall be not less than ten or more than twenty days from the issuance thereof, and show cause, if any there be, why a judgment should not be entered for the penalty of such bond and execution issue for the amount thereof against the property of the surety or sureties thereon, as in civil cases, and upon failure to appear or failure to show any such sufficient cause, the court shall enter such judgment in behalf of the people of the State of Oklahoma, against the principal and such surety or sureties on such bond not to exceed the sum of one thousand dollars including the costs. Any moneys collected or paid upon any such execution or in any case upon such bond, shall be turned over to the clerk of the county court, (Juvenile Court) of the county in which such bond is given, to be applied first to the payment of all court costs and then to the care or maintenance of the child or children for whose dependency such conviction was had, in such manner and

## MAKING BAD CHILDREN GOOD

upon such terms as the court may direct. If any such moneys so collected be unnecessary for the purposes last mentioned, it shall be turned over within one year to the treasurer of the county.

*Section 5.*—Violation of Conditions of Suspended Sentence.—In the case of any person found guilty of contributory dependency or contributory delinquency where the court has suspended the execution of the sentence during the good behaviour and satisfactory conduct of the defendant or upon any other terms and conditions which may have been imposed by the court, it shall be made to appear to the satisfaction of the court at any time during such suspended sentence or stay of execution, that it ought to be enforced, the court may thereupon enforce the same, and any jail sentence thereunder shall commence from the date upon which such sentence is ordered to be enforced.

*Section 6.* Limitation of Sentence, Two Years.—No sentence shall be suspended or final judgment or execution shall be stayed in the case of any person found guilty under this Act, to exceed a period of two years. If at any time prior thereto it shall appear to the satisfaction of the court that such person has complied faithfully with the conditions of any suspended sentence, judgment or execution, or is for any cause in the opinion of the court, entitled to be released therefrom, the court may suspend such sentence indefinitely, in which case such person shall be finally released and discharged, as he shall be in any event at the end of two years from imposition of any such sentence;

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

provided, that if any defendant be actually serving a jail sentence imposed under this Act and enforced before the expiration of said two years in accordance with the provisions of this Act, then in such case the defendant shall not be finally discharged until the expiration of any such sentence.

*Section 7. Officers to File Complaints.*—Probation officers having the powers of sheriffs or police officers, as well as county, prosecuting attorneys shall have the right and be vested with all power necessary to file complaints against any person under this Act and to prosecute any such case. In all such cases it shall be the duty of the county prosecuting officer representing the people to prepare any such complaints and prosecute any such cases for such probation officer when so requested by such officer or the judge of the juvenile court; but nothing herein shall be construed to interfere with any county prosecutor representing the people prosecuting such cases under this or any other Act as in other criminal cases.

*Section 8. (a) Construction.*—In order to find any person guilty of violating this Act it shall not be necessary to prove that the child has actually become dependent or delinquent, provided it appears from the evidence that through any act of neglect or omission of duty or by any improper act or conduct on the part of any such person, the dependency or delinquency of any child may have been caused or merely encouraged.

8.-(b). This Act shall always be liberally construed in favor of the State for the purpose of the

## MAKING BAD CHILDREN GOOD

protection of the child from neglect or omission of parental duty toward the child by the parents, as well also to protect the children of the state from the effects of the improper conduct, acts, or the bad example of any person or persons whomsoever, which may be calculated to cause, encourage or contribute to the dependency or delinquency of children, although such persons are in no way related to the child.

8.-(c). Nothing in this Act shall be construed to be in conflict with or to repeal or prevent proceedings under any Act or statute of this state which may have otherwise defined any specific Act of any person as a crime of any character which Act might also constitute contributory delinquency or contributory dependency, or to prevent or interfere with proceedings under any such Acts, nor shall it be construed to be inconsistent with or to repeal any Act providing for the support by the parent or parents of their minor children, or any Act providing for the punishment of cruelty to children or the taking of indecent liberties with or selling liquor, tobacco or firearms to children, or permitting them in evil or disreputable places, and nothing in any such Acts or similar Acts shall be construed to be inconsistent with or to repeal this Act or prevent proceeding hereunder, but in all cases where there shall be more than one prosecution for the same offence under whatever Acts of the character herein described the fact may be given in evidence to the judge of the court, and may be in the discretion of the court considered in mitigation of any sentence in any such cases.

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

8.-(d). Invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

A great deal of the success of the work of the Juvenile Court depends upon compulsory education. This, of course, does not mean that the system of the Children's Court cannot be introduced in India because of the fact that there is no such thing as compulsory education in Hindostan. Unless our country is to remain fossilised it must initiate and conduct a system of free and compulsory education. Without posing as a prophet, the writer may say that the day is not very remote when the Motherland will have an educational system which will make elementary education free and compulsory, for both boys and girls at certain ages. But there is no necessity to wait until the initiation of compulsory education for the introduction of Juvenile Courts in India. While this is recognized, a synopsis of the compulsory education law is given in order to make the work complete.

### II.—A SYNOPSIS OF THE COMPULSORY EDUCATION LAW

The State of Colorado has an effective school law in operation, its special features being as follows:

The common grammar school education (from the first to the eighth grade) is made compulsory, as far as possible, for all children between 8 and 16 years of age, in some public, private or parochial school.

The law applies to the entire State and not to particular districts. A child must attend school during

## MAKING BAD CHILDREN GOOD

the entire school year and not for limited periods, as in many school laws.

The law is made elastic by the following exemptions. All children who have completed the eighth grade or are eligible to enter high school in their district.

If over 14 years of age, where the child's help is necessary for its own or its parents' support. Where, for good cause, it would be for the best interest of the child to be relieved from the provisions of the Act, or where it being sufficiently instructed at home by persons qualified, or where a reputable physician in the district shall certify in writing that the child's bodily or mental condition does not permit of his attendance at school, he may be exempted during such period of disability.

The authority to pass upon such cases of exemption is vested in the superintendent of schools of the various districts, and, where there is no superintendent of schools of the district, in the county superintendent of schools. The hearing may be had before this officer upon application for exemption; an appeal may be had to the Juvenile court in which the district is situated without expense to the child or parent to exceed the sum of Rs. 3 for the filing and entering of papers and orders.

### III.—IMPORTANT CLAUSES IN THE CHILD LABOUR LAW

Equally as important an adjunct to the Juvenile Court Law as the Compulsory Education Law, is the Child Labour Law. Section 4 of the law of Colorado is as follows:

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

"Section 4. Any person who shall take, receive, hire or employ any child under the age of fourteen years in any under-ground work or mine, or in any smelter, mill or factory, shall be guilty of a misdemeanour, and upon conviction thereof shall be fined not less than Rs. one hundred and fifty, nor more than Rs. one thousand five hundred, and shall be imprisoned in the county jail not less than thirty days or more than three months."

Section 1 of the same Act provides that "no child sixteen years of age or less shall labor or work in any mill, factory manufacturing establishment, shop or store, or in or about coal or other mines, or any other occupation not here enumerated, which may be deemed unhealthful or dangerous, for a greater number than eight hours in the twenty-four hour day, except in cases where life or property is in imminent danger, or in the week before and following Christmas Day. Provided: That any child between the ages of fourteen and sixteen years coming within the provisions of this Act may be exempted from the provisions thereof, if, in the opinion of the Judge of the County Court (which is the Juvenile Court) of the county in which the said child resides, it would be for its best interests to be so exempted. Applications may be made in writing to any county judge (Juvenile Court) by any such child, its parents or guardian, to be granted such exemption, when it shall be the duty of such Judge to hear the same and inquire particularly into the nature of the employment sought. No fees shall be charged or collected in any such case."



## MAKING BAD CHILDREN GOOD

"*Section 2.* All paper mills, cotton mills and factories where wearing apparel for men and women is made, ore reduction mills or smelters, factories, shops of all kinds and stores, may be held to be unhealthful and dangerous occupations within the meaning of this Act at the discretion of the court."

The penalty for the violation of this section of the Act by employers is a fine of not less than rupees three hundred nor more than rupees one thousand five hundred or imprisonment in the county jail for not less than two nor more than four months, or by both such fine and imprisonment in the discretion of the court, for each offence.

To sum up the legal aspect of the Juvenile Court, it may be said that all experts are agreed as to the following necessary regulations in order to do effective work in making a good man or woman out of a bad child: First, there must be an elastic, far-reaching Juvenile Court Law that shall cover every place of dependency, truancy and delinquency; second, there must be a compulsory education law; third, a stringent child-labour law is of great importance; and fourth, there must be a law covering the delinquency of parents who do not take proper care of their children. Given these factors, and a good Juvenile Court Judge—a Judge who will have original and unlimited jurisdiction so that he can handle any legal aspect that may arise in considering a case, whether it be a question of civil, probate or criminal law—given all these factors and adding to them an efficient and painstaking corps of probation

## ESSENTIAL ADJUNCTS OF JUVENILE COURT LAWS

officers, the land is in a position to wisely supervise the bringing up of the children within its confines so as to assure the right kind of timber with which to build the structure of the future of the State.

### CONCLUSION

While the writer was engaged in editing the manuscript for this book, he learned that, in the metropolis of India, according to statistics gathered by the police, "there were no fewer than 1,043 minor girls of less than 14 years of age in houses of ill-fame, and of these, not less than 140 were without parents or any legal guardians."

What a deplorable state of affairs these figures reveal!

We may feel ashamed of this unfortunate condition: but that is not enough. We may seek to comfort ourselves with the thought that these girls are without hope, that no reclamation is possible; but such a verdict, in the face of what is being done elsewhere in the world, is essentially a piece of concentrated folly. Somehow or other, we, in India, have been hypnotised into the belief that we are very different from the rest of God's humanity; that the basic principles that apply to other races are not applicable to us. So long as we remain under this hypnosis, we cannot learn anything from the outside world that would uplift us from our depressed and fallen condition. While we cannot copy the world indiscriminately, we can *adapt* to our use progressive features of the enlightenment of other nations.

## MAKING BAD CHILDREN GOOD

If there is anything in the world that we should learn from others and adapt for our own use, it is a sane and equitable treatment of the child—especially of the delinquent and dependent child. Let us look into the problem of the children and face it like men.

